

U.S. DEPARTMENT OF TRANSPORTATION

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PIPELINE AND HAZARDOUS MATERIALS
SAFETY ADMINISTRATION

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GAS PIPELINE ADVISORY COMMITTEE MEETING

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WEDNESDAY, JULY 22, 2020

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The advisory committee met via
Teleconference, at 10:35 a.m. EDT, David Danner,
Chair, presiding.

GAS PIPELINE ADVISORY COMMITTEE MEMBERS PRESENT

HON. DAVID W. DANNER, Chair, Washington

Utilities and Transportation Commission

W. JONATHAN AIREY, Vorys, Sater, Seymour, and
Pease, LLP

RONALD A. BRADLEY, PECO

HON. DIANE BURMAN, New York State Public Service
Commission

PETER A. CHACE, Public Utilities Commission of
Ohio

J. ANDREW DRAKE, PE, Enbridge Gas and
Transmission and Midstream

ROBERT W. HILL, Brookings County Zoning and
Drainage

SARA W. LONGAN, Alaska Department of Natural
Resources

MARY PALKOVICH, Consumers Energy

SARA ROLLET GOSMAN, Pipeline Safety Trust;
University of Arkansas School of Law

RICHARD H. WORSINGER, Wilson Energy

CHAD J. ZAMARIN, The Williams Companies, Inc.

PHMSA STAFF PRESENT

**ALAN MAYBERRY, Associate Administrator for
Pipeline Safety; Designated Federal
Official**

HOWARD "SKIP" ELLIOTT, Administrator

DRUE PEARCE, Deputy Administrator

PAUL ROBERTI, Chief Counsel

**MASSOUD TAHAMTANI, Deputy Assistant
Administrator**

**JOHN GALE, Director, Office of Standards and
Rulemaking**

**AMAL DERIA, Attorney Advisor, General Law
Division**

**CAMERON SATTERTHWAITE, Office of Standards and
Rulemaking**

STEVE NANNEY, Project Manager, PHMSA Engineering

WASSEL AL-MASHAGBEH, Economist

RONALD RAUNIKAR, Supervisory Economist

ROBERT JAGGER, Senior Transportation Specialist

**SAYLER PALABRICA, Office of Standards and
Rulemaking**

ALSO PRESENT

ROYCE BROWN, Enable Midstream

PATRICK CAREY, Kinder Morgan

DAVID CHITTICK, TC Energy

KEITH COYLE, GPA Midstream

ADELE DIBIASIO, National Grid

KEVIN HOUSE, National Fuel Gas Company

MICHAEL HUNTER, NiSource

RICK KIVELA, Enbridge

MATTHEW NICHOLSON, TC Energy

C.J. OSMAN, INGAA

BILL PARRY, Southwest Gas Corporation

THERESA PUGH, American Forest & Paper Association

DARRAL WARD, Boardwalk Pipeline

CHARLES YARBROUGH, Atmos Pipeline

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

2 (10:35 a.m.)

3 OPERATOR: Ladies and gentlemen, thank
4 you for standing by and welcome to the GPAC
5 meeting. At this time, all participants are in a
6 listen-only mode. There will be several
7 opportunities during the call for question and
8 answer sessions. Instructions will be given at
9 that time. If you should require assistance
10 during the call, you may press star, then zero
11 and an operator will assist you offline.

12 I would now like to turn the
13 conference over to our host, Director of
14 Standards and Rulemaking PHMSA, John Gale.
15 Please go ahead.

16 MR. GALE: Good morning, everyone.
17 Good morning, members. And good morning, public.
18 And welcome to the Gas Pipeline Advisor Committee
19 to discuss the Valve Automation and Minimum
20 Rupture Detection Standards Notice of Proposed
21 Rulemaking.

22 Of course we do miss seeing everyone,

1 but given the situation, we are very happy to
2 hold this meeting concerning this very important
3 topic. I want to personally thank all the stuff
4 who has worked on both the logistics for this
5 meeting, which was no small undertaking, and of
6 course the technical matters associated with this
7 meeting. They are truly second to none. And
8 with that, I'd like to turn it over to Alan
9 Mayberry who will go through some administrative
10 matters.

11 MR. MAYBERRY: Thank you, John and
12 good morning, everyone. Thank you for your
13 attendance at this meeting of the Gas Pipeline
14 Advisory Committee. My name is Alan Mayberry and
15 I am the Associate Administrator for Pipeline
16 Safety within PHMSA's Office of Pipeline Safety.
17 And personally through the Federal Advisory
18 Committee Act, I am the designated federal
19 official for GPAC and will serve as the presiding
20 official for this meeting. Our Chairperson for
21 this meeting will be the Honorable David Danner
22 who is Chair of Washington Utilities and

1 Transportation Commission.

2 As John mentioned, our topic today is
3 -- the single topic on the agenda is the proposed
4 rule on the Valve Installation and Minimum
5 Rupture Detection Standards. We'll be
6 deliberating on the rule and seeking
7 recommendations of the committee.

8 I'd like to introduce several VIP's
9 that are present today starting with the
10 Honorable Skip Elliott who is the Administrator
11 of PHMSA. Drue Pearce, the Deputy Administrator
12 for PHMSA. Ben Kochman, the Director of
13 Government International and Public Affairs. And
14 Paul Roberti, Chief Counsel.

15 Before we get started, I'll go through
16 a few items -- administrative type items. This
17 meeting is virtual. It's not the first time
18 we've done a virtual meeting for rulemaking, but
19 we do these from time to time. This one's
20 probably one of the more complex rules we've done
21 virtually, but we look forward to, you know, a
22 very successful meeting today to cover that rule.

1 Committee members will have full
2 access to this meeting. Public participants will
3 be provided the opportunity to comment and ask
4 questions. And this is a moderated call as
5 you've probably seen. And so you'll be prompted
6 when it's time to do so, certainly by the
7 Chairman and by the Moderator.

8 I'd like to ask, if you are not
9 presenting or speaking, mute your phone now to
10 minimize disruptions. I think we can handle
11 that, but just to make sure, please mute your
12 phones. And as we open the floor up for
13 comments, you know, please limit your comments to
14 two minutes or less. And if necessary, either
15 myself or the Chair will ask you to limit your --
16 to cut short your discussion.

17 You can also submit comments under the
18 docket we have for the Advisory Committee. And
19 that docket number is PHMSA-2016-0136. And as
20 usual -- you are used to hearing me say this --
21 we'd like to ask both the committee members and
22 the public to work to preserve order and decorum

1 throughout this meeting. I think we had methods
2 to address that, being virtual probably more
3 tools than we normally have.

4 And then I'd like to at this point --
5 I think that finishes up. I'll turn it over to
6 the Chair, David Danner. And with that, David,
7 it's all yours. Thank you.

8 CHAIR DANNER: All right. Thank you,
9 Alan. Yeah, let's get started. I am Dave
10 Danner. I am Chair of the Washington Utilities
11 and Transportation Commission and I will serve as
12 the Chairperson for this meeting today. Today is
13 Wednesday, July 22nd, 2020 and I hereby call this
14 meeting of the Gas Pipeline Advisory Committee to
15 order.

16 As Alan said, this meeting is being
17 recorded. A transcript will be produced for the
18 record. The transcripts and presentations will
19 be available on the Meetings Page of the PHMSA
20 website. And that is primis.PHMSA.dot.gov. So
21 that's P-R-I-M-I-S dot P-H-M-S-A D-O-T. G-O-V.
22 So again, primis.PHMSA.dot.Gov. And it will also

1 be available on the e-gov docket on
2 regulations.gov. The docket number for this
3 meeting is PHMSA-2016-0136. Again, that's PHMSA-
4 2016-0136.

5 So before we get started, just a few
6 reminders. Please remember to introduce
7 yourselves each time you speak so that your
8 comments are properly recorded in the transcripts
9 for this meeting. I'd ask you to speak up a
10 little bit because some voices are muffled in the
11 virtual world. And additionally, members should
12 hit the raised hand icon on the Adobe Connect to
13 alert us that they wish to make a comment.

14 So now let's take roll call. Cameron,
15 would you be willing to do that for us?

16 MR. SATTERTHWAITE: Yes, sir. This is
17 Cameron Satterthwaite with PHMSA and I will go
18 through the roll call. And basically when I say
19 your name, all you have to do is say here. And I
20 will start off going from the government to the
21 industry to the public. I'll start off with
22 Diane Burman.

1 MS. BURMAN: Here.

2 MR. SATTERTHWAITE: Peter Chase?

3 MR. CHACE: Here.

4 MR. SATTERTHWAITE: David Danner?

5 CHAIR DANNER: Here.

6 MR. SATTERTHWAITE: Sara Longan?

7 MS. LONGAN: Here.

8 MR. SATTERTHWAITE: Terry Turpin? Ron
9 Bradley?

10 MR. BRADLEY: Here.

11 MR. SATTERTHWAITE: Andy Drake?

12 MR. DRAKE: Here.

13 MR. SATTERTHWAITE: Mary Palkovich?

14 MS. PALKOVICH: Here.

15 MR. SATTERTHWAITE: Richard Worsinger?

16 MR. WORSINGER: Here.

17 MR. SATTERTHWAITE: Chad Zamarin?

18 MR. ZAMARIN: Here.

19 MR. SATTERTHWAITE: John Airey?

20 MR. AIREY: Here.

21 MR. SATTERTHWAITE: Michael Balboni?
22 Mark Brownstein? Sara Rollet Gosman?

1 MS. ROLLET GOSMAN: Here.

2 MR. SATTERTHWAITE: And Robert Hill?

3 MR. HILL: Here.

4 MR. SATTERTHWAITE: And with that, we
5 have a quorum. I'll turn it back over to you,
6 Mr. Chairman.

7 CHAIR DANNER: All right, thank you.
8 So it looks like the majority of the members. We
9 do have a quorum. And now I am just going to
10 turn it right back to Alan Mayberry for any
11 additional matters.

12 MR. MAYBERRY: Thanks, Chairman. At
13 this time, I'd like to introduce the Honorable
14 Skip Elliott who will provide opening remarks.
15 Skip, we'll turn it over to you. Thanks.

16 MR. ELLIOTT: Thank you, Alan. Thank
17 you, Chairman Danner. And I'd like to welcome
18 all the members of --

19 OPERATOR: Pardon the interruption,
20 but the microphone is almost inaudible, if you
21 can make an adjustment. Thank you.

22 MR. ELLIOTT: This is a test. Can you

1 hear that?

2 All right, I will try it again. So we
3 had our first confirmed technical glitch of the
4 day and we've changed out a microphone. So Alan,
5 thank you. Chairman Danner, thank you. Members
6 of the committee, thank you. And welcome to
7 today's meeting and thank you again for the
8 opportunity to speak with you today. I look
9 forward -- I think as was said earlier -- for the
10 opportunity that -- when we can all meet together
11 in-person. And I can welcome you in a more
12 appropriate fashion.

13 As proof that time really does fly,
14 I've now been the Administrator at the Pipeline
15 and Hazardous Material Safety Administrator for
16 nearly three years now. And about two months
17 ago, I was also appointed as the acting Inspector
18 General for the Department of Transportation,
19 which has now made my days here a bit more hectic
20 than they were before.

21 But as most of you know, I spent 40
22 years in the railroad industry before starting my

1 government career. And it was the devastating
2 impacts that major incidents can have on both
3 communities and the environment coupled to my
4 years of experience in responding to such events
5 that formed my strong belief here at DOT that
6 safety must be both my personal goal and PHMSA's
7 top priority always.

8 As you know, PHMSA's goal is to
9 promote the safe, reliable, and environmentally
10 sound operation of the nation's 2.8 million mile
11 pipeline transportation system. And the 1.2
12 million daily shipments of hazardous materials by
13 all modes of transportation on land, sea, and by
14 air.

15 I am extremely proud of the dedicated
16 professionals here at PHMSA who work hard every
17 day to achieve this goal by setting sound safety
18 standards. These standards also support PHMSA's
19 mission, which is to protect people and the
20 environment by advancing the safe transportation
21 of energy products and other hazardous materials
22 that are essential to our daily lives. I will

1 always remain confident as well that we can reach
2 the aspiration, but I do believe achievable goal
3 of zero incidents.

4 I am continually impressed by the
5 quality, the diversity, and the dedication of our
6 Advisory Committee members. And I'd like to take
7 this opportunity to thank you all for your
8 selfless commitment to the Gas Pipeline Advisory
9 Committee, which is key to attaining PHMSA's
10 pipeline safety objectives. And I am proud to
11 say that our three ongoing federal advisory
12 committees are often seen as among the very best
13 at DOT. And we have you to thank you for that.

14 There's no denying that pipeline
15 safety is essential since the vast majority of
16 the gas that's crucial to our way of life is
17 transported over great distances to our homes and
18 the businesses on which we depend. While
19 countless stakeholders are involved with pipeline
20 safety, identifying and resolving pipeline safety
21 issues is the joint responsibility of industry
22 and regulators.

1 And despite the pipeline industry's
2 admiral safely record, there's always room for
3 improvement. Although our long-term safety
4 records show a downward trend in the number of
5 accidents, we've recently started to see the
6 numbers begin to climb.

7 You know, I try not to look backwards,
8 but I suspect there's great truth in the saying
9 that those who fail to learn from history are
10 bound to repeat it. In the oil and gas pipeline
11 industry that we've all dedicated so much of our
12 lives to, the history we must make sure that we
13 learn from include places like Bellingham, San
14 Bruno, Marshall, Merrimack Valley, and New
15 Orleans.

16 Now there's nothing we can do to
17 reverse the series of events that caused this
18 indelible stain on an otherwise impressive safety
19 journey over the last 20 years. But what we can
20 do -- what we must do is come together to develop
21 innovative solutions to pipeline problems,
22 thereby strengthening the industry while

1 protecting the people and the environment that it
2 benefits.

3 Accidents are on the rise and I think
4 we all agree that we need to ensure this trend
5 does not continue. PHMSA's working to combat
6 this trend by publishing rules to help operators
7 identify and abide by safety regulations. But
8 like it or not, a continued increase in
9 accidents, especially those that hurt people and
10 damage to the environment will surely evoke more
11 regulations.

12 Today we'll discuss one of these
13 rules, the Valve Installation and Minimum Rupture
14 Detection Standard Rules. This rule address both
15 the congressional mandate and NTSB
16 recommendations. And it is what I believe to be
17 the most important open mandate remaining from
18 the 2011 and 2016 Pipeline Safety Reauthorization
19 Acts. The upshot is that this rule will help
20 operators improve rupture response and mitigation
21 and therefore enhance all pipeline safety.

22 We've worked together to accomplish

1 great things over the years, but I think it's
2 important that we always try to look to the
3 future. One of the most important questions we
4 should ask ourselves is what more can we do to
5 ensure pipeline safety? Certainly our nation's
6 pipeline system is incredibly safe, but we must
7 continually chase our goal of zero incidents.
8 And continue to work hard to ensure that we never
9 add another city or place to that list of those
10 that haunt our past.

11 This Gas Pipeline Advisory Committee
12 is a key part of PHMSA's rulemaking process. The
13 input you provide helps inform our rulemaking and
14 allows us to make the best possible decisions
15 regarding pipeline safety. People don't think
16 about pipelines when everything's running
17 smoothly, but when there's a major incident,
18 everybody hears about it. So let's work together
19 to change that narrative.

20 I encourage you to take advantage of
21 our time together to offer your input and help
22 create a rule that will meaningfully enhance

1 safety. This will help protect people and the
2 environment while improving public safety. Most
3 of all, thank you for working with us to create
4 the best safety standards for everyone involved.
5 Because at the end of the day after all, we are
6 all in this together.

7 So thank you and good luck with your
8 meeting today. And Mr. Chairman, I turn the
9 meeting back to you.

10 CHAIR DANNER: Thank you very much,
11 Mr. Administrator. And I am getting some echo.
12 Let me turn it over to Alan. Alan, do you want
13 to review the agenda before we get started?

14 MR. MAYBERRY: Sure. Just to -- We'll
15 do a couple things, Dave. First off, let me just
16 give some overall -- just some overall updates
17 here to lead in and then I'll cover the agenda.
18 But you know, I just wanted to echo, first of all
19 the Administrator's, thanks to you, the committee
20 members for your, you know, membership in the
21 committee and engagement on, you know, important
22 issues to all Americans. And thank you also to

1 the public that are tuning in today. I'd like to
2 also thank, you know, the staff.

3 As John mentioned, you know, it takes
4 a lot to put these things on. I think we've hit
5 a sweet spot regarding how we run our Advisory
6 Committee and just the work that goes into it.
7 Especially in light of COVID-19 where, I think
8 all of us are learning new ways to do things.
9 And we found certainly, you know, in the months
10 since March or even before that, that we have
11 certainly been able to deliver on updating
12 important policies related to pipeline safety.
13 And really my appreciation goes to the staff.

14 We are literally flung out across the
15 country today from a skeleton group here at DOT
16 Headquarters and PHMSA Headquarters here in
17 Washington D.C. But we also have Steve Nanney
18 who is in Houston, Texas. And then you members
19 who span the country essentially from far away
20 Alaska where Sara Longan is hopefully having
21 plenty of coffee this morning and even the
22 Chairman today, to us here on the East Coast that

1 have been up for some time. But I think the
2 beauty of technology that we found even in light
3 of COVID-19, we've been able to really keep
4 things running.

5 We look forward to your recommendation
6 today. Also wanted to recognize -- Most of you
7 probably know that this week on July 25th will be
8 the ten year -- will mark the ten years since the
9 Marshall, Michigan spill in the Kalamazoo River.
10 And certainly the work we are doing here today
11 certainly will impact pipeline safety and prevent
12 those types of incidents from happening in the
13 future.

14 I'd also like to mention that, you
15 know, the 2011 Act, which we are addressing two
16 mandates in the rule that we are discussing
17 today. I am happy to say that three remaining
18 mandates of the 2011 Act, two of them will be
19 addressed with this rule that we are deliberating
20 on today. There's one remaining mandate related
21 to gaseous CO2 pipelines, but essentially we are
22 clearing the deck. You know, certainly as the

1 Administrator mentioned, probably the most
2 important mandates of that 2011 Act.

3 I'd like to switch gears a second here
4 and just mention an important announcement that
5 today the Department is announcing that PHMSA has
6 entered into an agreement with an engineering
7 contractor to assist in the development of the
8 Transportation Technology Center in Pueblo,
9 Colorado to develop a world class testing and
10 research facility for pipeline safety.

11 Many members of the pipeline safety
12 community have been involved and helped inform us
13 as we go forward. And we are definitely excited
14 for this milestone. And look forward to the --
15 you know, the future as we provide innovative
16 solutions to pipeline safety. And certainly
17 especially address the issue of speed of delivery
18 of technology to come to bear on pipeline safety
19 matters. So we are excited with that
20 announcement that's coming out today.

21 With that, I will turn it back to you,
22 Chairman Danner to get us kicked off for the

1 agenda. Oh, let me back up one second.

2 Regarding the agenda, that's right. We will have
3 basically -- like I said, it's the Valve
4 Installation Minimum Rupture Detection Standards.
5 The format, if you've been tuned into our
6 meetings before here present, is the briefing
7 will be presented to you, the committee and the
8 public.

9 And then we'll have an opportunity for
10 public input at the end of the briefing. And
11 then after that public input is closed, we will
12 have committee discussion and Q&A, followed by
13 the committee vote. And that's the pattern we'll
14 follow throughout the day.

15 We do anticipate -- we don't have it
16 listed on the agenda here. We'll kind of call an
17 audible as we go, but we are anticipating a mid-
18 afternoon, maybe 30-minute break for lunch. But
19 we'll see how things go. And our hope is to wrap
20 up and adjourn this meeting today with all items
21 covered. However you know, if it takes longer,
22 if we need to pick this conversation up later and

1 schedule a future meeting, we can do that.

2 I want to think positively and
3 anticipate that we will finish up today, I would
4 hope maybe by 6:00 p.m. timeframe Eastern Time.
5 But you know, if we need to, we will -- you know,
6 we don't want to cut the conversation short with
7 the committee. And we'll do what we need to do
8 to make sure that we are very -- you know, we
9 cover that well.

10 I think that is it. I will turn it
11 back to Chairman Danner and again, thank you.
12 Back to you, David.

13 CHAIR DANNER: All right, thank you
14 very much. So just in full disclosure, I just
15 had a hardware problem. I have an alarm going
16 off on my laptop, which indicates a hardware
17 problem. And since it's an incessant noise, I
18 had to turn my laptop off. So I am currently
19 without visuals, but I am working from memory
20 here, Alan. I think the agenda is in front of
21 us. I think at this point, we can start getting
22 right into the discussion. And so do we want to

1 turn it over to Steve to introduce our first
2 topic this morning?

3 MR. MAYBERRY: Yes. Turn it over to
4 Steve.

5 MR. NANNEY: Well good morning,
6 everybody. I am not located in Washington with
7 Alan and John and the others. I am in Houston,
8 Texas. And like everyone was stating is we are
9 trying to make sure technology works. The thing
10 I am finding here at home is that sometimes it's
11 the low tech things that give you the most
12 trouble. I was telling Andy and Chad on the
13 phone earlier today that I had tree trimmers in
14 the front of my house on a neighbor. And then I
15 moved to the back of the house and the power
16 lines are back there and there are power line
17 trimmers in the back if you can believe that. So
18 if there's any noise, I'll move to another
19 location, but it's quiet now.

20 Going to Slide No. 2. Again, we are
21 here today to talk about the Valve Rule, to give
22 an overview of the history of why we are here

1 today. And again, it started in 1994 with the
2 Edison, New Jersey incident that was about 2.5
3 hours for gas flow before it was isolated. PHMSA
4 had NTSB recommendations for valve provisions
5 after that incident. And then the Marshall,
6 Michigan, which Alan had talked about earlier.
7 It continued for 18 hours prior to confirming
8 rupture and putting in place mitigation action.
9 I realize Marshall, Michigan is a liquid
10 pipeline.

11 Slide 3. Also we had the September of
12 2010 San Bruno, California incident, which killed
13 eight people and injured many more. Destroyed
14 over 38 homes and damaged another 70. The system
15 isolation was not achieved for 95 minutes after
16 the rupture. And then after that, PHMSA issued a
17 Gas Advance Notice of Proposed Rulemaking in
18 August of 2011, seeking a public comment on 15
19 topics. And it was 122 questions under those
20 topics. And again, we received 103 comments.

21 Slide 4. Also we got NTSB
22 recommendations from the San Bruno incident and

1 everything. And then the Pipeline Safety Act in
2 2011 was issued on January 3, 2012. And it
3 included several mandates related to gas pipeline
4 regulation. Many of them which correlated to the
5 San Bruno investigation findings. And the
6 specific part for valves in the Act was Sections
7 4 and 8.

8 Slide 5. PHMSA sponsored a Leak
9 Detection Workshop in March of 2012. And then we
10 got several NTSB recommendations and they went to
11 PHMSA, API, PRCI, International Association of
12 Fire Chiefs, and the National Emergency Number
13 Association following Marshall, Michigan. And
14 PHMSA sponsored a Government and Industry
15 Pipeline R&D Forum looking for better leak
16 detection technology in July of 2012.

17 Slide 6. Then in 2012 -- October of
18 2012, PHMSA issued an advisory bulletin that
19 reminded operators to notify the public safety
20 access point, the Community 9-1-1 in pipeline
21 emergencies. Also PHMSA commissioned a Valve
22 Study that was conducted by Oak Ridge National

1 Laboratory in October of 2012. And then also
2 PHMSA commissioned a Leak Detection Study that
3 was conducted by Kiefner & Associates.

4 Slide 7. The US GAO issued a report
5 to the congressional committees in January of
6 2013 regarding data, guidance, needs for
7 emergency response. It included two
8 recommendations pertaining to valves and
9 emergency response. And then we issued the Valve
10 Notice of Proposed Rulemaking on February the 6th
11 of this year, 2020.

12 Next slide please, Slide 8. Some of
13 the congressional mandates, the Pipeline Safety
14 Act of 2011, Section 4 of it states that --
15 required by regulation, the use of ASV's and
16 RCV's or equivalent technology where it is
17 economically, technically, and operationally
18 feasible on hazardous liquids and natural gas
19 transmission pipeline facilities. And then
20 Section 8 of the 2011 Act stated, established
21 technically, operationally, and economically
22 feasible standards for the capability of leak

1 detection systems to detect leaks on hazardous
2 liquid pipelines.

3 Slide 9. And then from the NTSB in
4 Recommendation P-11-9 -- PHMSA received this from
5 NTSB. Require operators of natural gas
6 transmission and distribution pipelines and
7 hazardous liquids -- Hold on one second. My
8 computer went out. -- And hazardous liquid
9 pipelines to ensure that their control room
10 operators immediately and directly notify the 9-
11 1-1 emergency call centers for the communities
12 and jurisdictions of which those pipelines are
13 located on a possible rupture of any pipeline
14 that's indicated.

15 Slide 10. Another NTSB
16 recommendation, P-11-10 was to require all
17 operators of natural gas transmission and
18 distribution pipelines to equip their supervisory
19 control and data acquisition systems with tools
20 to assist in recognizing and pinpointing the
21 locations of leaks including line breaks. Such
22 tools could include a real time leak detection

1 system and appropriately spaced flow and pressure
2 transmitters along covered transmission lines.

3 Slide 11. And then also from the
4 NTSB, P-11-11, we were asked to amend 192.935(c)
5 to directly require that automatic shutoff valves
6 are remote control valves in high consequence
7 areas and in Class 3 and 4 locations be installed
8 and spaced at intervals that consider the factors
9 listed in that regulation.

10 Slide 12. And then we got from the
11 GAO 13-168 to improve operators incident response
12 times, improve the reliability of incident
13 response data, and use these data to evaluate
14 whether to implement a performance-based
15 framework for incidents response times.

16 Slide 13. The next couple of slides
17 will be a high level summary of the Valve Rule of
18 how it was noticed. And again, PHMSA proposed
19 the rule changes in the following areas for gas
20 transmission lines. Number one; define rupture
21 for use in leak detection and mitigation
22 requirements. Include public safety answering

1 point. In other words, 9-1-1 emergency call
2 center and emergency response in liaison efforts.
3 Number three; establish timeframes for rupture
4 identification and response. Number four,
5 strengthen incident investigation requirements.

6 Slide 14. Number five; require
7 installation of rupture mitigation valves for
8 newly constructed or over two mile replacement
9 pipelines greater than 6-inch diameter. Number
10 six; define spacing requirements for rupture
11 mitigation valves. Number seven; specify rupture
12 mitigation valve shut-off capability and methods.
13 Number eight; require rupture mitigation valve
14 operational monitoring.

15 Slide 15. Number nine; require
16 rupture mitigation valve maintenance and
17 verification. Number ten, establish and validate
18 40-minute response time through drills. Number
19 eleven; strengthen integrity management
20 requirements to include rupture mitigation valve
21 provisions in ASV/RCV annual risk analysis.

22 Slide 16. Now we'll go to some of the

1 comment summary. Again, PHMSA issued the notice
2 on February the 6th, 2020. The comment period
3 ended April the 6th, 2020. We received
4 approximately 25 comments. And you can see some
5 of the groups; NTSB, Pipeline Safety Trust,
6 NAPSAR, Clean Air Council, INGAA, API, AGA, APGA,
7 AOPL, and others. Operators: Magellan, TC
8 Energy, Northern Natural Gas. We got some from
9 equipment manufacturers.

10 Slide 17. And again, the Notice of
11 Proposed Rulemaking, the comment summary --
12 Again, this is just a layout of what was in the
13 notice. Again, it had a scope, applicability,
14 and an impact analysis, a rupture definition, a
15 rupture identification timeframe, a rupture valve
16 closure timeframe, what are rupture mitigation
17 valves, the valve spacing, the valve location,
18 valve status monitoring, class location changes
19 like Class 1 to 2, Class 1 to 3, those type
20 changes. Maintenance, failure investigations,
21 and communications with local 9-1-1 agencies.

22 Slide 18. And then the next group of

1 slides will be comments that we had posted to the
2 docket. This will be some of the -- what we
3 thought were the most impactful comments that we
4 thought the committee and the public needed to
5 see highlighted.

6 Slide 19. Again, the first scope and
7 applicability, public comments. NTSB reminded
8 PHMSA that recommendation P-11-11 addresses
9 valves for both new construction and existing
10 pipelines. Number two, the Pipeline Safety Trust
11 and the Clean Air Council also asked that PHMSA
12 consider application to existing pipelines based
13 upon the NTSB recommendation and also the
14 statute. In other words, the Pipeline Safety Act
15 of 2011.

16 PHMSA's response was that the
17 application to existing valves is prevented by
18 statute. In other words, the U.S. Code prohibits
19 retroactive design and construction regulations.
20 Also PHMSA proposed to apply the requirements to
21 new and entirely replace pipelines greater than
22 two miles based on risk and as mandated in the

1 U.S.C. Code.

2 Slide 20. Some other comments were
3 clarify the applicability of a rupture mitigation
4 valve requirements to gas distribution lines.
5 And the PHMSA response there is the rupture
6 mitigation valve requirements in 192.179 and
7 192.630 specifically apply to gas transmission
8 lines and not distribution lines. Again, not
9 distribution lines.

10 The next bullet, as will be clarified
11 later, the new amended requirements in this rule
12 that would apply to distribution systems are
13 contacting 9-1-1 call centers. And you can read
14 the code section there and post-incident lessons
15 learned.

16 Slide 21. Some other public comments
17 we got was the NTSB and the Pipeline Safety Trust
18 commented that leak detection from NTSB
19 Recommendation P-11-10 is not addressed in
20 requirements for installing ruptured mitigation
21 valves exclude most existing systems including
22 distribution lines. NTSB and Pipeline Safety

1 Trust commented that requirements for installing
2 rupture mitigation valve exclude most existing
3 systems including existing transmission and
4 distribution lines.

5 And in fact, P-11-10 states require
6 that all operators of natural gas transmission
7 and distribution pipelines equip their supervisor
8 control and data acquisition systems with tools
9 to assist in recognizing and pinpointing the
10 location of leaks, including line breaks. Such
11 tools could include a real-time leak detection
12 system and appropriately spaced flow and pressure
13 transmitters along covered transmission lines.

14 The Clean Air Council advocated for
15 requiring rupture detection devices. The
16 Fiberoptic Sensing Association encouraged PHMSA
17 to pursue additional leak detection studies and
18 consider enhancements to leak detection
19 requirements. The American Forest and Paper
20 Association requested sensor and rupture
21 detection improvements.

22 Slide 22. The PHMSA response, by

1 requiring pressure monitoring upstream and
2 downstream of the rupture mitigation valves,
3 ruptures can be better detected and isolated.
4 However, mandatory isolation of remote rupture
5 detection sensing technology is outside the scope
6 of this Notice of Proposed Rulemaking. Also, the
7 pressure monitoring equipment required by this
8 rule can also be integrated into a future leak
9 detection system. PHMSA will continue to advance
10 leak detection technology through its R&D Program
11 with a view towards future rulemaking.

12 For distribution pipelines, PHMSA will
13 view existing leakage survey requirements in
14 192.723 to strengthen leak survey requirements.
15 In other words, more frequent surveys and account
16 for advancement in technology and repair
17 criteria. For gas transmission pipelines,
18 Section 192.706 already requires leakage surveys
19 twice per year for Class 3 locations and
20 quarterly for Class 4 locations. PHMSA will view
21 this matter to identify any code sections for gas
22 leakage monitoring that could or should be

1 strengthened.

2 Slide 23. Some other public comments
3 was the Clean Air Council asked that PHMSA expand
4 the definition of a high consequence area to
5 include environmental and historical site
6 factors. PHMSA's response was change to HCA
7 definition is outside the scope of the Notice of
8 Proposed Rulemaking.

9 Slide 24. Some other comments we got
10 from the industry organizations were reconcile
11 current PRIA or cost benefit studies with prior
12 studies and clarify differences. Consider
13 maintenance cost for operator cost basis in
14 addition to initial installation costs. Consider
15 costs of new valves in class change projects as a
16 result of insufficient valve spacing. Revise the
17 PRIA to account for recent energy industry
18 hardships as a result of COVID-19. Clarify if
19 the PRIA includes all costs, including for gas
20 gathering lines. And a private citizen provided
21 support of the PRIA as demonstrating reasonable
22 cost.

1 Slide 25. Some other public comments
2 we got. The Clean Air Council requested that
3 cost analysis comparison to actual rupture cost
4 as part of the PRIA feasibility assessment. In
5 other words, include regulatory, legal,
6 environmental repair, et cetera. A private
7 citizen requested that additional factors
8 pertaining to staffing in lieu of automation be
9 considered in the PRIA, particularly with regard
10 to extended full-scale manual operations in
11 emergency situations.

12 And then lastly, we were asked to
13 consider additional consequences of gas supply.
14 How does this affect power generation in
15 industrial customers? And the PHMSA response is
16 that PHMSA will consider these comments in the
17 RIA for final rule. PHMSA's goal is to assure
18 that the RIA addresses all the costs and benefits
19 associated with each rulemaking and appreciates
20 each commenters input.

21 Slide 26. Also PHMSA just to let the
22 committee and the public know, we reached back to

1 our regions to see between 2018 and early 2020
2 what was PHMSA seeing on construction inspection
3 that PHMSA inspectors go out on. In other words,
4 these would be interstate pipelines that PHMSA
5 has jurisdiction -- direct jurisdiction over.

6 As you can see on the gas transmission
7 side, there was about 2,400 miles of gas
8 transmission pipelines. About 86 percent of
9 those has RCV valves, 10 percent had ASVs, and
10 manual operated valves, about 4 percent. And in
11 this 2,400 miles, 232 valves were being
12 installed. In other words, a valve about every
13 ten miles.

14 And you can see also the liquid side;
15 they were even putting more valves in. So
16 anyway, just to give you an overview of what
17 PHMSA's seeing on new construction. And I think
18 it's very positive that we are seeing operators
19 are hearing what we are trying to do and they're
20 doing it.

21 Slide 27. Also we looked at the valve
22 installation in new and replaced gas pipelines

1 equal to or greater than 6-inches between 2015
2 and through 2019 that we had the data on. And
3 you can see here, we've got it broken down by
4 Class 1, 2, 3, 4 locations. You can see the
5 mileage there for each one. With Class 1 being
6 the lion's share of the mileage. And also we
7 went in and figured how many valves would be
8 needed for each one based upon the rule. As you
9 can see there, it would be a total of about 215
10 valves which is very similar to what the industry
11 is putting in now.

12 Slide 28. Also we took a look to see
13 if greater than 6 inches and if we were
14 considering equal to or greater than 30 percent
15 SMYS. And we looked at 2015 to 2019. And you
16 can see there, we were looking at approximately
17 183 valves if we looked at greater than 30
18 percent. If you go back to 27 -- Slide 27
19 please. You can see at the bottom, the total for
20 greater to -- or equal to 6 inches was 215 where
21 if we did consider equal to or greater than 30
22 percent SMYS. It was 183 on Slide 28.

1 Going to Slide 29. Also we went back
2 and took a partial look at cost, realizing the
3 cost we've got here is not looking at the worst
4 case or the cheapest case. But we looked to see
5 if you put a manual -- you went from a manual
6 operator to adding an RCV or an ASV for various
7 sizes. And also we looked at the cost for
8 automating the actuator, the RCV or ASV. And
9 again, we wanted everybody to know that we hear
10 you on the cost -- the comments that we got on
11 the notice. And we will be going back and
12 looking at the actual cost based upon what we are
13 seeing being done in construction. And based
14 upon however through this process we are going
15 through today and we'll be going through in the
16 several weeks of what the actual rule wording
17 will look like.

18 Slide 30. Also we took a look and we
19 put out for the committee to see what are we
20 seeing as far as valve closure times on our
21 accident investigations? And our AID group, the
22 Accident Investigation Division for PHMSA,

1 started in December of 2017. So I got them to go
2 back and look since they had been operational, to
3 see what we were seeing. And you can see here by
4 this listing that eight out of 12 investigations
5 that our AID group did took over an hour to close
6 the valve.

7 And you can see we've a listing of
8 when it happened, the location, the time to close
9 the mainline valve, and then the total shut-in
10 time from the time of the rupture. And again,
11 the key part here is we still have a lot of
12 ruptures where it's taking over an hour to
13 isolate the system. And when I say "isolate the
14 system", not just the mainline valve, but the
15 crossovers also. Because you can close the
16 mainline valves and if you've got a large size
17 crossover still feeding it, you still have a lot
18 of flow going to the mainline and to the rupture
19 location.

20 Slide 31. Some of the specific public
21 comments that are addressed as follows that we
22 had comments on rupture mitigation. What is the

1 definition of a rupture? Also we had comments on
2 the ten-minute rupture identification, the 40-
3 minute valve closure timeframe. In other words,
4 rupture isolation. And also rupture mitigation
5 valves, the valve technology, the valve spacing,
6 the location of the valve, the valve status
7 monitoring. Also class location requirements
8 when you have a class change, maintenance
9 requirements of these valves, failure
10 investigations, and communications with 9-1-1.

11 Slide 32. On the issue of rupture
12 mitigation, again some of the issues there was
13 Section 4 of the Pipeline Safety Act of 2011
14 requires regulatory actions to include ASVs, RCVs
15 for new and entirely replaced hazardous liquids
16 and natural gas transmission lines if deemed
17 economically, technically and operationally
18 feasible.

19 Also we had the NTSB recommendation,
20 P-11-11 and the GAO 13-168 recommendation that
21 call for improved rupture response times. Also
22 NTSB recommendation, P-11-11 calls for

1 regulations that directly require automation or
2 remote control shutoff valves to protect Class 3
3 and 4 areas and HCAs spaced at intervals that
4 consider risk factors. And the basis that we got
5 this from NTSB was the excessive rupture
6 isolation time experienced in the PG&E incident
7 in San Bruno, California which was 95 minutes.

8 Slide 33. Now what did PHMSA propose
9 to do? Well first, we defined rupture. We
10 established requirements for identifying ruptures
11 within ten minutes of occurrence. The operating
12 and monitoring rupture mitigation valves for
13 newly constructed and entirely replaced gas
14 pipelines was added. Also to close rupture
15 mitigation valves as soon as practical, but no
16 more than 40 minutes after the rupture
17 identification. PHMSA solicited comments on the
18 appropriateness of the 40-minute standard. PHMSA
19 also asked for comments on the need to revise the
20 rupture response standard for alternate MAOP
21 pipelines at 192.620 as part of this rulemaking.

22 Slide 34. The rupture definition

1 public comments -- this is an overview of what we
2 got -- do not define rupture using quantitative
3 release criteria. In other words, 10 percent
4 pressure drop in 15 minutes, that are impractical
5 and do not account for differences in system
6 operation and monitoring capabilities. Number
7 two; consider allowing operators to establish
8 specific rupture notification criteria suitable
9 of the specific aspects for each pipeline rather
10 than establishing universal criteria.

11 Number three, clarify and distinguish
12 between the meanings of the term rupture
13 identification and notification of potential
14 rupture. The rupture definition in 192.3 should
15 be limited to transmission pipelines. Also align
16 the definition of rupture with incident report
17 definition. And lastly, adjust the definition of
18 rupture to account for technically infeasible
19 detection sensitivities.

20 Slide 35. The PHMSA response is the
21 intent of the definition is to provide a standard
22 for operators to consistently and promptly

1 initiate rupture mitigation measures and notify
2 emergency responders. The proposed rule already
3 allows operators to adopt a standard that differs
4 from a 10 percent pressure drop in 15 minutes by
5 documenting a higher flow rate change or higher
6 pressure change threshold for rupture
7 identification to account for pipeline specific
8 parameters.

9 Also operators may implement this
10 change without advance notification to PHMSA.
11 PHMSA will consider committee recommendations for
12 editing the definition as shown on the next
13 slide. PHMSA will consider the comments to
14 clarify terminology and improve understanding and
15 readability of the final rule. PHMSA will adjust
16 incident reporting forms to align with the final
17 rule.

18 Slide 36. Again the PHMSA response,
19 the suggested definition for committee
20 consideration. The notification of a potential
21 rupture means any of the following events that
22 involve an unintentional and uncontrolled release

1 of a large volume of gas from a transition
2 pipeline. Number one would be a release of gas
3 observed or reported to the operator by its field
4 personnel, nearby pipeline or utility personnel,
5 the public, local responders, or public
6 authorities and that may be representative of an
7 unintentional and uncontrolled release event
8 meeting Paragraphs 2 or 3 of this definition as
9 observed and reported to the operator.

10 Number two, the operator observes an
11 unanticipated or unplanned pressure loss outside
12 of the pipeline normal operating parameters as
13 defined in the operators' procedures. If the
14 operator establishes a threshold that is greater
15 than a 10 percent loss occurring with a time
16 interval of 15 minutes or less, the operator must
17 document the need for a higher pressure change
18 threshold due to the pipeline flow dynamics
19 caused by fluctuations in gas demand.

20 Or three, the operator observes an
21 unexplained flow rate change, pressure change,
22 instrumentation indication, or equipment function

1 that may be representative of an event meeting
2 Paragraph 2 of this definition. And also a note,
3 notification occurs when a rupture as defined in
4 this section, is first observed by or reported to
5 pipeline operating personnel or a controller.

6 Slide 37 please. Some of the
7 timeframe public comments that PHMSA got was the
8 decision to shut down a pipeline has serious
9 implications and should not be rushed to meet a
10 ten-minute threshold. Feasibility of a ten-
11 minute deadline is dependent on location. For
12 pipelines in remote areas, a ten-minute deadline
13 could require operators to treat some operational
14 events as ruptures. Remove the ten-minute
15 rupture identification requirement by retaining
16 the overall 40-minute shutoff timeframe.

17 PHMSA response, PHMSA believes a 10-
18 minute timeframe for identifying ruptures is a
19 achievable using currently available technology.
20 PHMSA is receptive to deleting the 10-minute
21 standard based upon proposed changes to the
22 definition of the notification of potential

1 rupture.

2 Slide 38. Timeframe public comments.

3 The NTSB and Pipeline Safety Trust expressed
4 concern with a 40-minute timeframe that may be
5 too long for an ASV or an RCV and would not
6 provide sufficient mitigation capability.

7 Pipeline Safety Trust further requests that PHMSA
8 provide technical justification for the maximum
9 shutdown time limit.

10 Pipeline Safety Trust commented that
11 a 30-minute shutdown timeframe might also be
12 reasonable and that some spill response plans for
13 hazardous liquid lines claim the failure is
14 isolated within 15 minutes constitutes an
15 operators worse case discharge. Now realizing
16 that's for hazardous liquid.

17 The Industry Associations commented
18 that the 40-minute performance standard is not
19 appropriate or practical for existing pipelines,
20 especially in rural and remote locations. And
21 recommended that the 40-minute standard in
22 192.634(c)(e), and (f) be applied only to HCAs in

1 Class 3 and 4 locations.

2 Slide 39. Some other timeframe public
3 comments we got was to extend the 40-minute
4 shutoff period to 60 minutes, remove the 40-
5 minute closure timeframe for manual valves,
6 require documentation of the response activities
7 occurring within the 40-minute timeframe, allow
8 operators to specify maximum detection and
9 shutoff timeframes individually for each pipeline
10 within O&M procedures. And lastly, provide for
11 other technology type notification for operators
12 to establish valve closure timeframes longer than
13 40 minutes.

14 Slide 40. PHMSAs response to these
15 timeframe comments. Number one, PHMSA believes
16 that a 40-minute standard is an achievable
17 improvement compared to the 90-minute performance
18 at San Bruno. Also PHMSA also notes that the 40-
19 minute standard was driven by time to close
20 manual valves and believes that ASVs and RCVs
21 should be closed in much less than 40 minutes.
22 In other words, 30 minutes or less. PHMSA would

1 be supportive of changing the closure time
2 standard to 30 minutes in conjunction with
3 deleting the 10-minute rupture identification
4 standard to incorporate the proposed definition
5 of notification of potential rupture from the
6 associations.

7 Number four, PHMSA would be supportive
8 of allowing manual valves in non-HCA Class 1
9 locations only to exceed the 30-minute closure
10 time requirement if the operator submits a
11 notification and demonstrates that installing an
12 ASV or an RCV is economically, technically, or
13 operationally infeasible. And lastly, PHMSA
14 believes that the closure time standard should
15 apply to Class 2 locations because these
16 locations could have up to 45 homes in the class
17 location unit and also a minimum of above ten
18 houses.

19 Slide 41. Some other public comments
20 we got was with respect to 192.620 alternate MAOP
21 requirements, which would be up to 80 percent
22 SMYS. The Associations and TC Energy support the

1 proposed changes to 192.179(e) and 192.634 for
2 new and replaced pipelines which would not
3 require changes to 192.620. They also assert
4 that retaining the existing 20 minutes response
5 standard is necessary for existing pipelines, a
6 request that PHMSA add more explicit requirements
7 to the alternate MAOP regulation to specify the
8 response activities that are required within the
9 one hour response standard. PHMSA responds,
10 PHMSA does not plan to revise 192.620, but notes
11 that the alternate MAOP lines would be subject to
12 192.179 and 192.634 as applicable.

13 Slide 42. Some other public comments
14 on timeframe we got was allow operators in
15 conjunction with emergency responders to decide
16 to leave a rupture mitigation valve open if
17 needed for incident mitigation or for safety
18 during emergency response. PHMSA believes that
19 the need to isolate rupture locations is
20 paramount and rupture mitigation valves should be
21 closed as soon as possible. Discussions with
22 emergency responders during incidents could lead

1 to unjustified delay in isolating ruptures.

2 Slide 43. Also some other timeframe
3 public comments we received was clarify that
4 other mitigation actions to be taken in the event
5 of a rupture mitigation valve actuation. PHMSA
6 response: PHMSA intended this to require that
7 operators take whatever action is appropriate to
8 mitigate the event, in addition to closing
9 rupture mitigation valves. The specific actions
10 needed will be dependent on each event and may
11 include closure of valves on laterals and
12 communication with receipt and delivery
13 customers.

14 Slide 44. Again, this concludes the
15 PHMSA response to comments on rupture mitigation
16 topics. And anyway in light of the comments
17 received on the Notice of Proposed Rulemaking,
18 PHMSA recommends that the committee consider the
19 following: Number one, changing the definition
20 of rupture as ruptured by PHMSA staff during this
21 meeting and as presented in the slides. Number
22 two, eliminate the prescriptive ten-minute

1 rupture identification requirement.

2 Three, requiring that valves be closed
3 as soon as practical within 30 minutes. Number
4 four, allowing manual valves in non-HCA Class 1
5 locations only to exceed the 30-minute closure
6 time requirement if the operator submits a
7 notification and demonstrates that installing an
8 ASV or an RCV is economically, technically, or
9 operationally infeasible. And lastly, revising
10 applicable sections to eliminate duplication and
11 improve readability.

12 Next slide please. With that Mr.
13 Chairman, I'll turn it back over to you for
14 public comments.

15 CHAIR DANNER: All right, thank you
16 very much. So let me see if we have anybody
17 wishing to comment on these. Cameron, can I ask
18 you to see if anyone has raised their hands?

19 MR. SATTERTHWAITTE: Yes. Not a
20 problem, David. At this point, we are going to
21 open up the floor for comments from the public.
22 And in order to do that, what we are doing is we

1 are going to do all that through the operator.
2 So I am going to turn it over to Moderator Paul
3 and he will provide the instructions for how to
4 provide public input. We are not going to take
5 any input through Adobe Connect. Everything will
6 be controlled through the AT&T moderator line.
7 Okay?

8 CHAIR DANNER: Thank you so much.

9 OPERATOR: Thank you. Ladies and
10 gentlemen, for public comment, please press 1,
11 then 0 on your telephone key pad. An operator
12 will gather your name and company and I'll
13 address you thusly. If using a speaker phone,
14 please pick up the handset before pressing the
15 numbers. So once again, for public comment, it's
16 1 then 0.

17 MR. SATTERTHWAITE: While the folks
18 are being queued up for that -- note Mr.
19 Chairman, this is Cameron Satterthwaite again.
20 When we get through the public comment period and
21 it's time for the discussion amongst the members,
22 that's when we'll probably go to the raising of

1 the hands and we'll go that way. Okay?

2 CHAIR DANNER: Thank you for that
3 clarification.

4 OPERATOR: Thank you. Then we will go
5 to public comment. We have one from INGAA on the
6 line of C.J. Osman. Please go ahead.

7 MR. OSMAN: Yes. Good morning,
8 members of the Advisory Committee and good
9 morning, PHMSA folks. Thanks for hosting this
10 despite these challenging times we are all in. I
11 am glad that there's an opportunity to move
12 forward in this important rulemaking that I think
13 is very supportive of. This is C.J. Osman from
14 INGAA.

15 One comment I'd like to make is we'd
16 like to see some clarity on what the 30-minute
17 time threshold is going to be tied to. In the
18 proposed rule, the 40-minute threshold was tied
19 to rupture identification, so we believe that the
20 30-minute threshold should also be linked to
21 rupture identification. Furthermore, we think
22 that the final rule should clearly reflect the

1 differences between the three steps in responding
2 to a rupture as we see them.

3 The first is notification of a
4 potential rupture event -- some sign that
5 something could be occurring. The second step is
6 that rupture identification of whether the event
7 is actually a rupture or a non-rupture. And then
8 finally, the final step is valve closure and
9 isolation of the segment. To summarize, we would
10 like clarity that the 30 minutes is still tied to
11 rupture identification like it was with 40
12 minutes in the NPRM. Thank you very much.

13 OPERATOR: Thank you. Then next we'll
14 move to TC Energy in the line of Matt Nicholson.
15 Please go ahead.

16 MR. NICHOLSON: Hey. Good morning,
17 everyone. It's Matt Nicholson, TC Energy. Just
18 a few comments around that 10-minute rupture
19 identification requirement and where we saw
20 issues at TC Energy. I wanted to kind of weigh
21 in on 192.615. Now we really support PHMSAs
22 consideration to eliminate the language around

1 that 10-minute rupture identification criterion
2 and instead focus on the 40-minute response
3 requirements for Class 3, 4 HCAs.

4 I think we recognize that the intent
5 of establishing any identification threshold is
6 really about ensuring that Gas Control is
7 actively engaged in the process of determining
8 that a rupture event has occurred, that we don't
9 think this intent is lost with a mandated
10 response time either. The repeated concern we
11 got at TC regarding the prescriptive 10-minute
12 identification threshold included that it did not
13 take into account the number of variables
14 associated with confirming a rupture event. And
15 how notifications arrive at Gas Control in
16 general.

17 We think it's important to recognize
18 that rupture identification tends to rely on both
19 outside notifications to the Control Center, as
20 well as state indication. And the accuracy and
21 completeness of those outside notifications can
22 vary greatly. So in the absence of a clear data

1 confirmation like an alarm, significant pressure
2 drop, or increased flows, controllers are left
3 having to reconcile sometimes conflicting
4 information. Performing that analysis with less
5 than complete information is inherently more
6 time-consuming and often requires input from the
7 field, aerial control, emergency response
8 personnel, or even other operators with adjacent
9 pipelines.

10 Given some of these challenges, we
11 think that 10-minute threshold may be a shortcut
12 to the due diligence process and actively
13 identifying a rupture. And it may even lead to
14 unintended consequences. Rushing to make a
15 shutoff decision could adversely affect many
16 faction facilities, power plants, small
17 businesses, home owners, all of our customers.
18 And conceivably result in additional re-lights
19 which could leave consumers without gas for days.

20 The time to respond and isolate, we
21 think are the most meaningful metrics to ensure
22 the safety of the public and allow emergency

1 response personnel to conduct their work. We
2 look forward to further discussions with the GPAC
3 on these too. Thanks.

4 OPERATOR: Thank you. Then next from
5 Atmos Pipeline. We'll go to the line of Charles
6 Yarbrough. Please go ahead.

7 MR. YARBROUGH: Yes, I just wanted to
8 make a comment on low stress pipelines. We
9 believe that those should be excluded from the
10 requirements. We've already got lots of pipe
11 replacement going on in the industry that's
12 stressing everybody's capital budgets fairly
13 well, I think, particularly in the transmission
14 area. So limited capital low stress pipelines
15 that have virtually no risk of rupture seem a
16 little ridiculous to include them in this rule.
17 And believe they should be excluded.

18 In the past when this issue has come
19 up about low risk pipelines -- low stress
20 pipelines, that's defined as less than 30 percent
21 SMYS. (Telephonic interference) only able to
22 present one incident of a rupture on such a line

1 from their records. It seems that since it's
2 such a low probability of happening, particularly
3 with the new segments that's got brand new pipe
4 in it, that it doesn't make sense to require this
5 for those lines. I think that's it.

6 OPERATOR: Thank you. We lost Teresa,
7 so Teresa if you can re-queue.

8 MS. PUGH: Re-queue?

9 OPERATOR: Oh, your line is -- you are
10 a speaker. So if you had comments, your line is
11 open.

12 MS. PUGH: Yeah. Can you hear me now,
13 sir?

14 OPERATOR: Yes.

15 MS. PUGH: Great, thank you. I am
16 Teresa Pugh on behalf of the American Forest &
17 Paper Association and a second client who asked
18 that their name be not disclosed because I am
19 going to give an example that involves
20 confidential business information.

21 But the first client being American
22 Forest & Paper Association, a very supportive

1 user of natural gas for their manufacturing
2 processes, first a leading user of renewable
3 biomass, but natural gas is their second largest
4 fuel use at approximately 58 percent or \$8
5 billion annually. Not that costs are necessarily
6 -- certainly not more important than safety. But
7 I wanted to mention to you that we ask that PHMSA
8 expand its thinking on cost benefit analysis in a
9 number of safety-related rulemakings for natural
10 gas pipelines.

11 My comments do not pertain to oil
12 pipelines. And I appreciate that the prior
13 speaker referenced the comments that AFPA has
14 mentioned -- has submitted. But I wanted to make
15 sure that you understand some specific examples.
16 In 2018 and 2019, the pulp and paper sector
17 companies that had firm contracts had several
18 force majeure events where the companies were
19 unable to obtain adequate gas to keep their
20 factories operating or had to find a surplus
21 supplier for natural gas during these force
22 majeure events. And even though the pipeline

1 might have been repaired in five or six days in
2 several of these instances, the pipeline pressure
3 or volume effort reduction by 20 percent affected
4 the manufacturing.

5 So for example, after the Enbridge
6 2019 -- excuse me, 2018 explosion that a series
7 of companies had to pay a 200 percent increase in
8 the delta that they were missing when the NED
9 reduced the available gas through that pipeline
10 and compressor station in Canada and through the
11 northwestern states. There are a couple of other
12 examples in Tennessee and other locations, which
13 I won't bore you with.

14 But I have a second client who again
15 has confidential business information. Their
16 impact was that they received only a 45-minute
17 notice of a force majeure due to a pipeline
18 rupture. And they had a firm contract of course.
19 And that company has a manufacturing process that
20 I guess I would say it's similar to a refinery in
21 that you can't just shut it off. This company
22 did not receive adequate time to shut off the

1 manufacturing process and the equipment froze.
2 It ceased up. And it was a \$300 million loss to
3 that company because of the loss of natural gas.

4 So while of course human health safety
5 protection is far more significant than these
6 examples, I do want you to understand that as the
7 world is more reliant on natural gas,
8 particularly in the United States -- and we
9 support natural gas, of course. But as we are
10 more reliant upon it, we as manufactures -- we as
11 manufacturers that use natural gas generated
12 electricity, as well as purchase gas directly, we
13 need these safety issues to be contemplated when
14 you are looking at the ramifications, not just to
15 the immediate industry as a pipeline transmission
16 company, but also to the customers.

17 So I encourage you to continue to look
18 at this and to expand where possible. And if
19 necessary, we would be delighted to meet with you
20 again at PHMSA or to present to this committee on
21 a future meeting. Thank you very much for
22 allowing me to speak under these circumstances.

1 OPERATOR: Thank you. Then before we
2 go to our next questioner, a reminder that
3 speakers lines are open the entire time. And
4 participants, it's 1 then 0 to get into the
5 question queue. So we'll move to the line of
6 Patrick Carey of Kinder Morgan.

7 MR. CAREY: Good morning. As the
8 Operator indicated, my name is Patrick Carey.
9 That's C-A-R-E-Y with Kinder Morgan. Kinder
10 Morgan has operated systems with automatic
11 shutoff valves for decades. And have
12 considerable amount of experience. And based on
13 that experience with the different demands that
14 are associated with given pipeline segments and
15 the swings due to weather, sensitive LDC
16 deliveries and quick ramping up and down to
17 support gas fired generation plants, which are
18 becoming more and more swing loads based off of
19 the fact that it's firms up renewable power
20 generation.

21 The rate of change based on these
22 changes and the customer demand are causing

1 problems with some of these automatic shutoff
2 valves. As a result of the remodeling that we've
3 done of those systems in order to determine what
4 the appropriate set-points would be, we've in
5 certain cases had to deviate from a standard
6 pressure drop for those situations. And are
7 reliant on a minimum pressure set-point.

8 Essentially the modeling and the slow
9 conditions bring us outside of a range of an
10 appropriate response for that particular valve.
11 Mainly that the pressure drop over the given
12 timeframe essentially makes the valve inoperable
13 in a lot of situations. And using a minimum set-
14 point -- pressure set-point for those valves is
15 the solution for that.

16 So we support the changes that have
17 been proposed by PHMSA in the way of defining the
18 10 percent over 15 minutes and the allowability
19 of using a different set-point, but all of that
20 change seems to still be reliant on a rate of
21 change prospective. And we request that, that
22 definition be expanded to include some other

1 parameters and criteria that could be used to
2 establish what those set-points were.

3 You know, further on that is that
4 PHMSA should clarify that 192.3 that operators
5 may establish criteria other than the pressure
6 loss rate such as of a pressure set-point in
7 their procedures to notify for the potential
8 ruptures so long as the operator documents that
9 those -- and justifies that criteria. Thank you.

10 OPERATOR: Thank you. Then our next
11 commenter from Southwest Gas, Bill Parry. Please
12 go ahead.

13 MR. PARRY: Yes, thank you. Good
14 morning. My name is Bill Parry, P-A-R-R-Y with
15 Southwest Gas Corporation. Southwest Gas
16 operates distribution and transmission pipelines
17 that serve over 2 million customers in Arizona,
18 Nevada, and California. We appreciate PHMSAs
19 reconsideration and elimination of the 10-minute
20 rupture detection requirement in lieu of
21 establishing a closure time standard.

22 Also Southwest Gas is supportive of

1 the proposed change to eliminate the rupture
2 identification standard in conjunction with the
3 30-minute closure time after rupture
4 identification for ASVs and RSVs. We feel this
5 would give the operator time to see an
6 appreciable difference in flow pressure and
7 identify an actual or non-rupture as soon as
8 practical.

9 We appreciate the time and I thank you
10 for the opportunity to provide public comment on
11 this topic. Thank you.

12 OPERATOR: Thank you. Then next from
13 Enbridge, we'll go to the line of Rick Kivela.
14 Please go ahead.

15 MR. KIVELA: All right, thank you.
16 This is Rick Kivela, K-I-V-E-L-A, with Enbridge.
17 I do want to express support for PHMSA's proposal
18 for allowing manual valves installed in non-HCA
19 Class 1 locations to exceed the closure time
20 requirement with a notification to PHMSA. Given
21 that it's non-HCA Class 1 locations, the
22 potential consequences here would be reduced.

1 There are going to be occasions where installing
2 RCV or automated valves would be technically or
3 operationally infeasible. And I appreciate that
4 PHMSA has recognized this. So I would support
5 PHMSA's position of including that provision in
6 the final rule. Thank you.

7 OPERATOR: Thank you. Then next from
8 Enable Midstream, Royce Brown. Your line is
9 open.

10 MR. BROWN: Good morning. This is
11 Royce Brown, R-O-Y-C-E Brown, Enable Midstream
12 and also a participant of the INGAA Pipeline
13 Safety Committee. What I'd like to suggest is
14 that PHMSA may consider allowing operators
15 certainly in coordination with emergency
16 responders, to leave rupture mitigation valves
17 open during certain rupture scenarios. I'd like
18 to paint a couple scenarios for you.

19 One's a real world event that I think
20 I think you can all appreciate. We'd had a line
21 rupture, not a complete separation, but a leak in
22 a rural area. But it served a downstream

1 community that had several hundred people that
2 would be without service when the line was
3 ruptured. The case that we would make is that in
4 close coordination with emergency responders in
5 certain scenarios, public safety is best served
6 by allowing the bending of the gaps the remote
7 area allow continued service to the community
8 without needing to re-light that.

9 This case was particularly pointed in
10 the COVID-19 era. We've heard that mentioned a
11 few times already today where a local
12 distribution company was imploring us not to shut
13 in service. They didn't want the service clerks
14 to go into homes, nor did the affected home
15 owners and community want to have people they
16 didn't know from a facility company doing
17 maintenance in their homes for the re-light.

18 The second scenario I would give you
19 is the same could be put around a winter scenario
20 where you've got a rupture mitigation valve that
21 may be a little ways out by the town. A leak
22 occurs between the valve and the town and you

1 wouldn't necessarily want to interrupt several
2 hundred thousand homes in the middle of, you
3 know, a winter storm in sub-zero temperatures.

4 So we really submit that some
5 discretion could be allowed through operators to
6 make judgment calls and really pursue what's in
7 the public best interest from a safety
8 perspective. Thank you for your time.

9 OPERATOR: Thank you. Then the last
10 currently in the comment queue will go to the
11 line of Keith Coyle from GPA Midstream. Your
12 line is open.

13 MR. COYLE: Hi, thanks. This is Keith
14 Coyle. I am counsel for GPA Midstream. K-E-I-T-
15 H, C-O-Y-L-E. I just wanted to join the comment
16 that C.J. Osman from INGAA made earlier about
17 needing to provide clarity on whether the
18 timeframes are going to run from notification or
19 identification. The revised definition talks
20 about notification as being the significant
21 event. We think that the timeframe should run
22 from identification.

1 And we also think -- We would just ask
2 that PHMSA look at the language in the definition
3 and see about whether we can consolidate some of
4 the provisions. It seems like the second
5 provision is really, you know, the core
6 requirement and the remainder may not be
7 necessary.

8 OPERATOR: Thank you. Then there's no
9 one else in the comment queue at this time.
10 Please continue.

11 CHAIR DANNER: All right, thank you
12 very much. Maybe we should do a last call. Is
13 there anyone who has -- members of the public who
14 haven't spoken yet who wish to get in the queue?
15 Now is your chance.

16 OPERATOR: For any additional
17 comments, it's 1, then 0 on your telephone
18 keypad. Allowing for participants to queue up,
19 there are none at this time.

20 CHAIR DANNER: All right, thank you
21 very much. Well then let's go to committee
22 discussion. Are there any members of the

1 committee who wish to raise their hand? There is
2 a raised hand function on the toolbar at the top.

3 I would like to start with a question
4 for Steve -- just a clarification. For the Class
5 1 thing --

6 MR. NANNEY: Dan, you cut off.

7 OPERATOR: One moment while we get
8 Dan's line reopened here. All right, Dan. Your
9 line is open.

10 CHAIR DANNER: All right, thank you.
11 You can hear me?

12 OPERATOR: Yes.

13 CHAIR DANNER: All right. So a
14 question for Steve. The notification for the
15 Class 1's where you can do a notification and
16 then a demonstration. Actually what is the
17 process? Is that just something that once you
18 receive the notification, then they're exempted?
19 Or is there some sort of approval process? Is
20 there an opportunity for others to challenge
21 that? What is -- How does that work?

22 MR. NANNEY: Well normally we would

1 set it up to where we would have some defined
2 specifics that they would have to give us as far
3 as why they could not put a valve in. And to me
4 an example would be if you were out somewhere in
5 the west and you couldn't get power. You know,
6 there was no one around. It wasn't an MCA type
7 area where anyone lived within the rupture area.
8 And so they would come in and identify the
9 location, the issues that they have. And then we
10 would through the Associate Administrator, would
11 have to give them a no objection to be able to do
12 that.

13 CHAIR DANNER: Okay. It just wasn't
14 clear that those would be reviewed and
15 essentially --

16 (Simultaneous speaking.)

17 MR. NANNEY: No, they would be
18 reviewed and either an objection or no objection
19 from PHMSA.

20 CHAIR DANNER: All right. Thank you
21 very much. I see a hand up. Mary Palkovich?

22 MS. PALKOVICH: Yeah, can you hear me?

1 CHAIR DANNER: Yes.

2 MS. PALKOVICH: Okay. Yeah, so just
3 three comments. Agree with C.J. on the 30
4 minutes needs to be tied to identification. Can
5 support that. The second comment is from Charles
6 Yarbrough, concur that we really need the low
7 stress pipelines to be excluded. Because in this
8 scenario, those are going to be replaced and new
9 anyway. And the third point is I have also a
10 scenario to paint about why certain valves should
11 be allowed to blow under certain rupture events.
12 And the example is a situation we had in
13 Minnesota about 15 years ago where there was a
14 freakish tornado in March that came through. It
15 uprooted trees in a distribution system and there
16 was a valve blowing.

17 And we needed that valve to blow in
18 order to identify where those repair points were.
19 Had we been forced to shut that, we would have
20 had hundreds of customers in the dead of winters
21 towards zero a week later without gas. So I just
22 wanted to reinforce that there are scenarios

1 where valves need to be left open. And we can
2 document those hopefully after the occurrence.
3 And that's all I've got.

4 CHAIR DANNER: All right. Thank you
5 very much. How do we want to work this? Do we
6 want to have PHMSA staff respond to each one? Or
7 should we just go through the comments? Alan,
8 what is your preference?

9 MR. MAYBERRY: Yeah, Dave. We can
10 just go from member to member. I guess, you
11 know, to that last point, I think you know -- I
12 think we want to hear from all the members. For
13 instance, we've got, you know, as far as the time
14 marker for when the clock starts about
15 identification. And then we are hearing about
16 some of the exceptions that there might be. And
17 some of the transmission lines that serve remote
18 areas and the like. So let's just go member by
19 member and then we can give some response. I
20 mean if there are questions, we can deal with
21 that as well. I think John has a comment too
22 here.

1 MR. GALE: Yeah. Hi, Chairman. This
2 is John Gale with PHMSA. Just a quick note.
3 Regarding the issue on the 30 percent that
4 Charles raised, that actual issue is brought up
5 in the next segment that we are discussing. So
6 if we can hold back the comments on that, we'll
7 make sure we address that issue that Mr.
8 Yarbrough raised in the next segment.

9 CHAIR DANNER: All right, will do.
10 Thank you much. Okay, Ron Bradley?

11 MR. BRADLEY: Yes. Ron Bradley from
12 PECO. Good morning. Thank you, Mr. Chair.
13 First of all, you know, I am very impressed with
14 the work that's been done on this to date. Very
15 impressed with the public commentators. You
16 know, I was listening to each and every one of
17 those and writing notes. And their perspectives
18 were exceptional from C.J. at the beginning all
19 the way to Keith Coyle on the backside.

20 The gentleman from T.C. Energy was
21 really rolling through some great items around
22 this whole ten-minute issue. And I am glad that

1 we are looking to take that stress off. And I
2 think, you know, because there's so many things
3 that go into the operator's decision around do I
4 have a real rupture or do I have a massive
5 customer coming on as expected? So I think there
6 were some really clear thought out statements. I
7 just want to extend my support. I don't see any
8 deviations that come to my mind on these.

9 I do agree with where C.J. started
10 this which is let's just make sure we understand
11 when the clock starts from the time we've
12 identified that we do in fact have a rupture to
13 the time that we've implemented a mitigation that
14 takes the risk away. And I love the fact that we
15 are even talking about making sure we leave the
16 valve in a position if it's closely monitored
17 with public emergency responders, you know, side
18 by side with us to keep downstream customers
19 intact instead of creating an unintended
20 consequence. That's my comment. Thank you.

21 CHAIR DANNER: All right, thank you.

22 Andy Drake?

1 MR. DRAKE: This is Andy Drake with
2 Enbridge. I want to kind of break this down into
3 kind of a process look here. There's actually
4 three components of this discussion that we are
5 having, which is one notification, two
6 identification, and then three, response. And I
7 am going to try to form my questions and comments
8 around those three issues.

9 First, I think it's very important to
10 define as we've already, I think, been hitting on
11 here on a couple of comments. To me, the 30
12 minutes is response. Response starts after
13 identification has been confirmed. If not, it
14 gets very, very confusing. And I think, you
15 know, we've got some data that shows that once
16 identification has occurred, response in 30
17 minutes can be executed with these technologies.

18 I think as we look kind of up to the
19 front of that process, if you look at
20 notification and you know, identification, I
21 would almost recommend that we kind of fold those
22 together a little bit. I think we may be over-

1 complicating this a little bit. I am very
2 concerned about the ten-minute timeframe as a
3 definitive standard.

4 I am also concerned with this criteria
5 number two. I think that's very troubling. We
6 have a lot of pipes in the northeast market
7 areas; New York, Philadelphia, Boston, Rhode
8 Island. In the wintertime, their demand pulls
9 can replicate a rupture very easily. And what we
10 do -- and I thought someone mentioned this
11 earlier. It may have been the fellow from TC
12 Energy. We have not -- We are not trying to set
13 a definitive time to recognize. We have a
14 definitive process we go through. And I think
15 that's more important than trying to model every
16 possible combination and permutation of demand
17 pulls in New England because it changes every
18 day.

19 I think the key is how do I vet that
20 out? And the key -- I don't think you want me to
21 just say well, it's ten minutes. Close the
22 valve, boys. And shut off New England on a cold

1 day in the winter. You want me to go through
2 that diligent process. It may take me 12 minutes
3 or 13 minutes. But I think the key is, is the
4 performance standard here probably saves
5 everybody a lot of headache is an operator should
6 be working as quickly as possible to bet out all
7 indications of a rupture through the necessary
8 sources of input to make that decision as quickly
9 as possible.

10 That is a much better approach I think
11 than trying to tell me 10 percent in 15 minutes
12 across 300,000 miles of pipeline in every
13 possible weather condition and every possible
14 market condition with the convoluted inputs that
15 we have to deal with from LNG systems to
16 competing pipelines to power plants when they
17 come on and off. I don't even -- I don't want to
18 try to model that every single day. What I want
19 to do is have a deliberate due diligence process
20 to vet that out.

21 And we have many indications -- I can
22 go on and on about conditions where we break out

1 of 10 percent pressure drops in 15 minutes --
2 many, many, many, many. The problem is they're
3 very hard to model to know is it going to take me
4 12 minutes or is it going to be 14 percent
5 pressure drop in 13 minutes? I mean the process
6 is worth way more than some definitive universal
7 standard that we are going to apply. And I think
8 that's a really, really important concept to try
9 to vet out here.

10 But I think that's the crux of the
11 comments that I would make at this point. I just
12 wanted to put that on the table. Thank you.

13 CHAIR DANNER: All right. Thank you,
14 Andy. Mary, could you take your hand down unless
15 you want to get back in the queue. Thank you so
16 much.

17 MS. PALKOVICH: Yes, I will.

18 CHAIR DANNER: Rich Worsinger?

19 CHAIR DANNER: Thank you, Mr.
20 Chairman. This is Rich Worsinger from Wilson
21 Energy. A couple items.

22 First, I want to thank PHMSA staff for

1 doing the best they can with the situation
2 they're provided by us doing this meeting
3 virtually. That being said, I did have a little
4 technical difficulty here. When the public
5 comment slide came up, I lost my audio
6 connection. So I missed the majority of those
7 public comments.

8 I did get back on, was able to call
9 back in and heard the tail end of the one comment
10 -- I didn't get the gentleman's name. Talked
11 about the difficulties that can occur if we shut
12 down a pipeline that doesn't need to be shut
13 down. I believe he was talking about the --
14 allowing it to blow if it's being vented to
15 atmosphere out in a rural area. Mary touched on
16 a similar topic in her comments. And let me just
17 expand on this a minute, if you would allow me.

18 I know people in industry know what
19 this means. When you shut down a pipeline that
20 affects a gas distribution -- local distribution
21 company, that -- if we lose all of our gas
22 pressure, that means we have to visit each and

1 every home, each and every meter and physically
2 turn the valve off to that meter. We have to re-
3 pressurize the lines and then go back to each
4 home, turn the meter on and light the appliances.
5 That was a challenge before COVID-19 hit. Now
6 with many of systems having a prohibition of
7 employees entering customers' homes, using
8 contractors or making sure we've got the right
9 masks and PPE, it's even more problematic.

10 And let me just add that most of the
11 American Public Gas Association's members, the
12 1,000 public gas systems they represent, are
13 served by only one pipeline. So we just need to
14 be -- make sure that what we are doing is the
15 right thing. That ends my comments.

16 CHAIR DANNER: All right. Thank you
17 very much.

18 Sara Gosman?

19 MS. ROLLET GOSMAN: All right. Can
20 you hear me okay?

21 CHAIR DANNER: Yes, we can.

22 MS. ROLLET GOSMAN: Okay. Great. So

1 this is Sara Gosman. So I have a few comments
2 here, and I guess I'll just start at the top.

3 So the first one -- my comment relates
4 to scope. So I think PHMSA's doing two things
5 here as I understand it, so requiring automatic
6 shutoff valves and remote control valves to be
7 installed in new and newly-replaced pipes in
8 certain circumstances and then giving a very
9 limited exception for manual valves.

10 And then the second thing is imposing
11 a performance standard, right, on valves to close
12 within -- the proposal here is 30 minutes of the
13 notification of a rupture.

14 So I want to make three points about
15 this. I think the first is applying the
16 performance standard as opposed to the question
17 of installing valves to only new and replaced
18 lines, that's a policy choice, and it's one that
19 I frankly disagree with. I mean PHMSA has the
20 authority to require this kind of performance
21 standard, a closure time limit under the Pipeline
22 Safety Act. It's an operational requirement.

1 It's not a requirement for new design or
2 installation that would be prohibited under the
3 grandfathering section of the Pipeline Safety
4 Act. And I think we know this in part because
5 the performance standard is actually proposed to
6 be within Subpart L operations of the
7 regulations, right? It's meant to be, again, an
8 operational requirement.

9 So first, I don't think PHMSA is
10 prohibited at all from actually applying this to
11 existing valves, although again there's some work
12 there to be done in terms of figuring out whether
13 existing valves could meet what type of closure
14 requirement.

15 The second point I want to make on
16 that is the result of limiting that closure
17 standard to new and replaced lines is that we are
18 not dealing with the types of incidents that
19 really drove this particular rulemaking. So we
20 are not protecting San Bruno or other communities
21 that have been harmed by slow responses and slow
22 isolation of ruptures and fires. We are over a

1 long period of time, right, but the ones -- say
2 take San Bruno, right, was about an old pipeline.
3 And this is not going to help San Bruno unless
4 they get a new pipeline or newly-replaced.

5 And I was trying to run the math here
6 on what this actually means on the ground. And
7 so I pulled these steps from the Regulatory
8 Impact Assessment as well as the slides that we
9 were shown and however I run the numbers, we are
10 looking at any -- something less than one percent
11 of total mileage each year for transmission,
12 onshore transmission pipeline mileage.

13 And perhaps this is not the right way
14 to think about it, right, but if you were to
15 actually do that over a period of years it would
16 take anywhere from -- well depending on the
17 numbers of the slides versus the ones in the
18 Regulatory Impact Assessment, anywhere from 123
19 years to 166 years to end up fully in the world
20 in which we were actually requiring the same
21 closure limit for all of the pipeline system.
22 And it seems to me that that's just not enough.

1 And then I'd finally say on this point
2 that we are really creating a patchwork of
3 requirements here and I don't think that that's
4 good regulatory design; that is, that we can have
5 two adjacent valves in the same class location on
6 the same line and they're operating under two
7 different regulatory regimes, which means two,
8 you know, communities in that area are looking at
9 in one case a closure time requirement and in
10 another case none.

11 All right. So that's the first set of
12 issues that I wanted to raise.

13 On the question of the rupture
14 definition, I understand the set of issues that
15 the industry associations have raised here about
16 the proposed definition. I think the definition
17 -- which I understand came from them that PHMSA
18 is now proposing -- is confusing and could be
19 simplified a bit more. And I guess I would --
20 rather than doing the wordsmithing here, I would
21 say that to me it seems like there's a set of
22 issues here really about, one, figuring out what

1 the evidence of that rupture or potential rupture
2 is, that release of gas or evidence of a
3 potential release of gas that may be
4 representative of an unintentional and
5 uncontrolled release event, right? That's the
6 language in the proposal.

7 And then there are two ways of us
8 figuring that out, right, unanticipated or
9 unplanned pressure loss down to a very specific
10 threshold. And then B, unexplained flow rate
11 change, et cetera, that may be representative of
12 that earlier event. So to me those seem like
13 evidence, right, signals of the type of rupture
14 we are worried about, that release. And then
15 there is the question of actual observations for
16 reporting to, right, that gets us to that
17 notification. And I just think the language
18 could be simplified more to get at that and --
19 but I am not going to wordsmith as a lawyer
20 unless you ask me to.

21 All right. So number 3 then on the
22 timeline for the shutoff. So we -- Pipeline

1 Safety Trust had comments about the 40 minute
2 time period being too long, and we appreciate
3 that the total time has been reduced to 30
4 minutes and we appreciate that there is a
5 statement in there that operators have to close
6 the valve as soon as practicable. We think this
7 is an acceptable compromise.

8 I'd note that by taking out the 10-
9 minute identification requirement -- and I am a
10 little bit concerned about bringing this back in,
11 so this is something I would want to talk a
12 little bit more about if that's the direction as
13 a Committee we are going. By taking out that 10-
14 minute identification requirement we are
15 essentially moving to that 30-minute -- well,
16 there's a floor and a ceiling, right? We have as
17 soon as practicable, but hard to enforce I think
18 unless we have very clear circumstances.

19 So what I understand the 10-minute
20 identification requirement to do is to really
21 front end the work so that if you can close the
22 valve faster, you would. And yet I understand

1 that there are a set of issues here really that
2 vary by operator that make it difficult sometimes
3 to end up within that 10 minutes. And I guess if
4 the process goes along and we end up in a better
5 place where we are hitting that 30-minute mark, I
6 think that's okay. We've lost something, too, I
7 think that's fair to say.

8 All right. And then last point --
9 thank you for bearing with me here -- on the
10 exception to the closure time requirement. I
11 guess I'll admit to some confusion here about
12 this exception, and perhaps it relates back to
13 the way I view this proposed rule as I started as
14 a set of two -- really two requirements. So this
15 exception really seems to conflate the issue of
16 whether it is infeasible to install an automated
17 shutoff valve, a remote control valve with
18 whether the operator can meet the closure time
19 requirement with a manual valve. And to me those
20 are separate inquiries.

21 I see that they're related, but it
22 doesn't -- I think even if we limit that to -- as

1 we should, I think we are just going to go with
2 this exception -- to those class 1 non-HCA areas,
3 I think there still has to be a showing here that
4 the manual valve, right, can't meet the closure
5 time requirement, because again I don't think
6 just because it's a manual valve in that location
7 we should presume necessarily that they can't
8 meet it.

9 And so what I would ask for is a
10 separate determination that the -- past the point
11 of, yes, we've determined that a manual valve is
12 the only feasible valve in this particular
13 location, right, past have an additional inquiry
14 as to whether that particular manual valve can
15 meet the closure time. And that's all I have for
16 now. Thanks.

17 CHAIR DANNER: All right. Thank you
18 very much.

19 Diane Burman, you had your hand up.

20 MS. BURMAN: Yes. Thank you so much.
21 I appreciate it. Can everyone hear me?

22 CHAIR DANNER: Yes. Thank you.

1 MS. BURMAN: Okay. Great.

2 I think this is a really good
3 discussion. I very much appreciate everyone
4 sharing.

5 My sort of thought is looking at how
6 can we take into account people's concerns and
7 find alternative solutions that don't impact
8 safety. And so I do agree that when we look at
9 the more prescriptive language that that does
10 become a challenge.

11 I also am wondering if we are going to
12 go through each and every, sort of, concern and
13 then kind of look at making sure that the
14 Committee is in agreement with any -- whether
15 there's any changes potentially and what -- and
16 open up for some discussion on what we may be
17 able to agree with.

18 The as-soon-as-practicable language
19 for requiring valves to be closed as soon as
20 practicable, within 30 minutes, I do have a
21 question on that. If we had it -- if there's an
22 issue as just having it as soon as practicable or

1 if the boundary has to be within the 30 minutes
2 and what people's focus is on that, and then who
3 is determining or what will be the standard for
4 determining what is as soon as practicable? And
5 I would say more as soon as reasonably
6 practicable, because that can be two different
7 things.

8 But I am interested in hearing sort of
9 everyone's thoughts. And the comments that were
10 made by the public I appreciate because it did
11 help me in light of them think about what we can
12 do for alternatives. So thank you.

13 CHAIR DANNER: All right. Thank you.
14 I will say that the way I read that is that it is
15 30 minutes or as soon as practicable, but the 30
16 minutes is the limit, is the precise limit. But
17 as soon as practicable is to reduce that 30
18 minutes as possible.

19 MS. BURMAN: Thank you.

20 CHAIR DANNER: All right. Pete Chace?

21 MR. CHACE: Yes, hello. My name is
22 Pete Chace. I represent National Association of

1 Pipeline Safety Representatives. And I always
2 kind of laugh when someone asks me what does
3 NAPSRS think about something, because you get 50
4 different opinions and the phrase herding cats
5 maybe comes to mind. But I just wanted to kind
6 of summarize thoughts on rules from NAPSRS
7 membership, and I think a lot of it focuses on
8 just how -- what kind of lines that this
9 regulation is going to capture. And there's some
10 concern about is it going to drive essentially
11 unnecessary diverting of investigation and
12 reporting resources.

13 For example, the rupture definition,
14 other speakers have alluded to this. There's
15 nothing in there that limits it to transmission
16 or high-stress lines as far as I've seen and
17 there's some concern I think that if we have a
18 distribution or say low-pressure line where
19 you've got a pressure drop because of a demand
20 pull or because someone hit a line with a backhoe
21 causing what we would conceive to be a grade 2
22 leak, that that's something that is going to

1 drive reporting requirements, tie up calls to
2 911, require investigations, that sort of thing.
3 So that is a concern that's been expressed. I am
4 aware that the intention is distribution lines
5 aren't going to be subject to that. I guess the
6 mechanical parts of the rule that I -- they still
7 have to comply with 615 and 617.

8 Another thing with the rupture
9 definition, it uses a lot of terms from the -- in
10 common with the incident definition, and I think
11 you should maybe take some time and think about
12 just what kind of ruptures you want to report and
13 which ones you don't. For example, large volume
14 of gases, does that mean 3 million cubic feet
15 like it is in the incident definition? I don't
16 think so, but some thought should be put into
17 that.

18 As far as applicability, my
19 understanding is that the intent is this -- the
20 valve rule would be applied to type A gathering
21 but not type B. In general I think NAPSR thinks
22 that's a good decision. Type A gathering, the

1 fireballs are going to look just the same as the
2 transmission line. The same pipe diameters will
3 all fit in the system pressure.

4 A couple things. One is in the -- and
5 I haven't seen the -- what you are going to
6 develop about type B lines, so you may have
7 already got this, but in 192.9 type B lines --
8 which is 192.9(b) -- there's a part about how
9 lines, new, replaced, relocated or otherwise
10 changed, follow transmission standards. I wonder
11 if that's going to swallow up type B lines unless
12 that is addressed.

13 Also I know coming up there's looking
14 at extending the regulation of some type A
15 gathering lines. I think the criteria being
16 looked at right now are pipelines in diameter in
17 excess of 12 3/4 inches. And we got this line
18 six inches. So there would be a little bit of
19 regulatory inconsistency to think about.

20 One kind of unspoken assumption I
21 think in a lot of these rules is unless you've
22 got piping in a class 1 area and you get a

1 permission slip from PHMSA, you are kind of
2 driven to have data in a control room. And I am
3 wondering for operators that are operating
4 transmission lines that are definitional lines
5 because they're supplying gas to a single large
6 volume customer -- and these are really lines
7 that have the characteristics of distribution
8 mains but they're transmission because of part 1
9 of that transmission definition -- is that
10 necessarily appropriate for those types of
11 operators? That's what I've got.

12 CHAIR DANNER: All right. Thank you
13 very much.

14 Chad Zamarin? It looks like we lost
15 you for a second, but you are back.

16 MR. ZAMARIN: Yes, sorry about that.
17 Thanks. Can you hear me okay?

18 CHAIR DANNER: Yes, we can.

19 MR. ZAMARIN: Great. Thank you, Mr.
20 Chairman. This is Chad Zamarin with Williams. I
21 just wanted to touch on maybe a theme that I
22 think will carry through this entire discussion

1 as we move through this proposed rulemaking.

2 Valves -- and this is a really
3 important rule, but I do want to just remind us
4 that this is about closing valves and -- on gas
5 pipelines, and there's a lot of work that's been
6 done over the years that shows, you know, that
7 that is important, but most of the damage and
8 impact that occurs when a gas pipeline fails due
9 to a rupture occurs either immediately or very
10 soon after the rupture occurs. And valve closure
11 is obviously important to try to prevent the
12 increased effect of a rupture, but it's much more
13 important for us to focus our resources on
14 preventing the rupture from ever occurring in the
15 first place.

16 So I just want to keep -- make sure we
17 keep that in mind that it's an important rule,
18 but we are trying to point our resources towards
19 making sure that the valve never has to try to
20 contain a rupture because most of the impact of a
21 rupture on a gas pipeline in the vast majority of
22 incidents that occur occur immediately upon

1 rupture. The Marshall, Michigan incident is a
2 liquid pipeline. It is not a good example for
3 what we are here to discuss today because if a
4 liquid pipeline leaks and ruptures and leaks for
5 a longer period of time, you have a much more
6 significant environmental and safety risk created
7 than you do from a gas pipeline rupture.

8 We've heard that it's a very complex
9 operating environment for gas pipelines, so there
10 are many times when a pipeline ruptures and it
11 ruptures in a rural area. Again, want to prevent
12 that from happening, but the venting of the gas
13 that occurs actually -- the closure time has no
14 correlation to a decrease in safety due to the
15 incident. In fact the vast majority -- spent my
16 career on failure investigations. The vast
17 majority of ruptures that occur, when they occur
18 it creates a significant amount of damage, but
19 then you have a venting pipeline that oftentimes
20 -- whether it vents for -- there's an
21 environmental impact certainly, but whether it
22 vents for 10 minutes or 60 minutes, the safety

1 impacts are effectively the same. So I just want
2 us to keep that in mind as we go through this.

3 The more we create prescriptive
4 requirements -- and if we were to look at trying
5 to automate all valves on existing systems or do
6 additional valve installations or push for
7 replacements that cause us to go and put
8 construction crews to work, that put operational
9 reliability at risk, that create outages that
10 require venting of gas to atmosphere, we are
11 doing a lot of things and we are not really
12 focused on the thing that's most important, which
13 is preventing the incident from ever occurring.

14 So that's the main point that I want
15 to make, that I think we need to just keep in
16 mind as we go through this rule. The more we put
17 requirements on valve closure and rupture
18 mitigation, the more we will put resources
19 towards something that frankly is not where we
20 should be putting the majority of our resources,
21 which should be towards preventing the incident
22 from ever occurring. Thank you.

1 CHAIR DANNER: All right. Thank you.

2 I don't see any other hands up right
3 now, so let me ask -- first of all, we've had a
4 number of comments in a number of areas this
5 morning, and I'd like to turn to PHMSA staff and
6 ask if they would like to respond to what they've
7 heard from the Committee members.

8 MR. GALE: Sure, Mr. Chairman. This
9 is John Gale with PHMSA. Just a couple comments
10 and maybe a recommendation on a path forward on
11 this first segment.

12 First and foremost, we mentioned
13 earlier the comments on the 30-percent SMYS --
14 and then for that matter gathering -- will be
15 discussed in the next segment. So again the
16 comments that were raised by the public and the
17 Committee members will be discussed further in
18 the next segment.

19 So regarding your comments on the
20 scope of the rule -- and believe me, I do not
21 want to try to take you on in any kind of legal
22 discourse -- but it is our recommendations from

1 our lawyers and our legal staff and it's their
2 reading of our statute that we are limited in how
3 we can apply any rule involving existing
4 infrastructure and that we are limited to
5 applying any new regulatory standard to existing
6 infrastructure.

7 That being said, this is an
8 incremental step in safety. I wish myself
9 personally that this rule had been in place for
10 years, let alone from the 2011 act, and that
11 these valves were already being added. If you
12 look at again the numbers we showed earlier with
13 regard to operators installing valves, that is a
14 step in the right direction. And we are going to
15 get there and we are going to get there in the
16 right -- maybe not as soon as we'd want to, but
17 we are going to get there within the scope and
18 the authority that Congress has given us to
19 impose these kind of standards, both -- not just
20 in accordance with, I think it's 60104(b) and
21 also Section 4 from the Pipes Act related to
22 rupture mitigation valves.

1 Also we would be stretched, to say the
2 least -- even if there was some new opinion, new
3 research done -- and gosh knows how long that
4 could take to even say that we could even extend
5 these requirements to existing infrastructure --
6 that it would be within the scope of this rule.
7 So I am not saying it's worth a discourse. I am
8 not saying it's not worth our time, because
9 pipeline safety for all is always worth our time.
10 But for the context of this rule and the progress
11 of this rule it probably would definitely be
12 outside the scope of this rule.

13 And so we can continue the discussion,
14 but for this rule it's really within the context
15 and the scope of this rule, what we proposed, and
16 how it applies to new construction and
17 replacement projects.

18 The other issues that I've seen
19 identified -- and these are where I see -- I
20 think maybe we can continue our discussion -- is
21 on the issue of notification versus
22 identification and the issue of leaving valves

1 open in certain situations during a rupture.

2 With regard to the issue of
3 notification versus identification, to provide
4 some clarity to our proposal here that you see on
5 the slide that is actually in red, that states
6 requiring that valves be closed as soon as
7 practicable within 30 minutes, PHMSA is willing
8 to change that and of course the associated
9 voting slide -- to change that to requiring that
10 the valves be closed as soon as practicable
11 within 30 minutes of operator identification of
12 the rupture and not -- and sort of make sure it's
13 clear that it's associated with the
14 identification of rupture and not the
15 notification of the rupture.

16 So if you want, Chairman, I would
17 recommend we continue the dialogue on that of
18 course unless others want to talk about other
19 matters and we -- if we can -- after resolving
20 that issue we can move on to the issue of leaving
21 the valves open.

22 CHAIR DANNER: All right. Well,

1 before we do that, Commissioner Burman -- I don't
2 think she's on the call right now, but she said
3 that she would want to put in the word as soon as
4 reasonably practicable. I am not sure what
5 the --

6 MS. BURMAN: I am on the call. Can
7 you hear me?

8 CHAIR DANNER: Oh, you are on the
9 call? Yes.

10 MS. BURMAN: Yes.

11 CHAIR DANNER: Can you explain what
12 that adds? I don't --

13 MS. BURMAN: Well, I just asked the
14 question, is -- are folks comfortable with it
15 being as soon as practicable? I always -- I just
16 want to kind of get a sense of who is making that
17 determination, what is it making. And the lack
18 of having as soon as reasonably practicable to me
19 may make a difference or not. It depends on
20 where folks are at. So I was just -- I guess I
21 was --

22 CHAIR DANNER: Okay.

1 MS. BURMAN: -- raising that as an
2 issue.

3 CHAIR DANNER: Yes, thank you. My own
4 view is that --

5 MS. BURMAN: And the only reason I say
6 that is sometimes something may be practicable,
7 but it doesn't mean it's reasonable to do. And
8 so I am just -- I don't know if it matters in
9 this situation, but in other situations it may
10 matter. So I just raised it.

11 (Simultaneous speaking.)

12 MR. GALE: And, Member Burman -- I am
13 sorry, Chairman. This is John Gale again.

14 CHAIR DANNER: Yes, go ahead, John.

15 MR. GALE: And, Member Burman, just to
16 be clear, why we added that phrase -- and it
17 might be very reasonable to add that word to that
18 phrase; we'll let the Committee decide. But the
19 idea here was is that we know of technologies and
20 operators that have valves that can close sooner
21 than 30 minutes. And so if they have the
22 technology and they have the capability -- and in

1 some cases it's stated and documented in other
2 policies and programs, even associated with
3 Federal Government initiatives. If they can
4 close and they're supposed to close sooner, we
5 would expect those valves to close sooner. So
6 it's a combination standard. It's not just 30
7 minutes. If the technology can close within 15
8 minutes or even sooner, we would expect that
9 valve to close in that time period.

10 CHAIR DANNER: Okay. So the
11 reasonableness of it is kind of built into that
12 standard. Is that your view?

13 MR. GALE: Yes, Mr. Chairman.

14 MR. MAYBERRY: Also, Chairman -- this
15 is Alan Mayberry -- I think -- you know, of
16 course we are getting recommendations of the
17 Committee on this and I think putting my
18 enforcement hat on, we need something that is
19 understandable by the regulated community as well
20 as the inspectors that are enforcing this. So I
21 was actually good with the practicable, but I'll
22 defer to the Committee on that. But I think we

1 can deal with either case. But just wanted to
2 pass that on. Back to you. Thanks.

3 CHAIR DANNER: All right. Well, thank
4 you very much.

5 Chad Zamarin?

6 MR. ZAMARIN: Thanks. Chad Zamarin
7 with Williams. Just maybe a clarifying question
8 for PHMSA.

9 I think this language is also used
10 elsewhere in the code. And I think to the
11 question I think Commissioner Burman had asked, I
12 also think PHMSA is effectively the interpreter
13 of this standard through its enforcement process,
14 and obviously there's a process that we as an
15 operator can go through with PHMSA to get to the
16 ultimate answer.

17 But is it fair to say, John and Alan,
18 maybe the PHMSA team, that this is a -- there's
19 some precedent for this phrase and gives PHMSA
20 the ability to effectively use the enforcement
21 process to be the interpreter of what practicable
22 would mean?

1 MR. MAYBERRY: This is Alan.
2 Regarding precedent, when we were talking -- and
3 I know we dealt with it on another rulemaking
4 related to instant notification with the one-hour
5 after confirmed discovery, it's a similar concept
6 to what we are talking about here related to --
7 in this case talking identification.

8 CHAIR DANNER: All right. Thank you.
9 John, did you have anything further
10 you wanted to add?

11 MR. GALE: No, Chairman. Right now we
12 think we would rather just leave that phrase as
13 soon as practicable. You know, it's ---
14 obviously the 30 minutes is the key part of this
15 whole definition, as soon as practicable. It
16 will be a little bit challenging with
17 enforcement, but in any given situation if we
18 think the technology is there and we have the
19 information to relay that or believe that it had
20 -- that time period had been exceeded in terms of
21 the as soon as practicable, that will be
22 challenging. Caveating it even more in terms of

1 adding terms like reasonable may make it even
2 more difficult. So we would recommend to leave
3 it as is.

4 CHAIR DANNER: All right. Thank you.
5 Any other comments from Committee members?

6 (No audible response.)

7 CHAIR DANNER: All right. Hearing
8 none, obviously we have had a number of views
9 here. My own view is I agree with Mr. Gale that
10 this is dealing with -- there are limitations
11 about how you address existing infrastructure.
12 This is -- these are incremental steps. I think
13 some of the changes that they have made in
14 response to the comments so far are reasonable
15 and I would be supportive of the proposed rule as
16 it now stands with the PHMSA recommendation to
17 the Committee.

18 I am not sure we want to -- how we
19 want to proceed on this.

20 Andy Drake, you have your hand up. Go
21 ahead.

22 MR. DRAKE: Thank you, Chairman. This

1 is Andy Drake with Enbridge.

2 If we are going to move to vote, I
3 just want to offer one thought, and that is, I
4 agree with the discussion we just had. I thought
5 we were kind of closing up a discussion about
6 practicable or reasonably practicable.

7 What I'd like to propose is that we go
8 back to that criteria number 2, and I would
9 propose that we add a provision in there that an
10 operator's process to vet would be appropriate in
11 lieu of trying to identify alternate time frames.
12 If an operator wants to identify alternate time
13 frames, that's fine, but I'd at least like to
14 have a provision in criteria number 2 under
15 192.3, the rupture definition proposal, that an
16 operator would be allowed to define a process by
17 which they would define rupture. I think that's
18 on slide 36.

19 I think this is really important that
20 to avoid a lot of unintended consequences that
21 people have talked about all through here that an
22 operator's diligence in vetting out the word

1 rupture, or switch completely over to the use of
2 as soon as practicable. Or the operator is
3 obligated to define -- identify a rupture as
4 quickly as possible using a definitive process
5 would be fine as well. But I just think the way
6 this is worded is not going to work in the New
7 England area. I just want to -- and probably
8 other complex market areas.

9 CHAIR DANNER: So, Andy, the slide is
10 up. Do you have any -- do you have specific
11 language that you would want to add or subtract
12 from what's up there?

13 MR. DRAKE: I think where it says in
14 the operator's procedures, I think that an
15 operator would be obligated to define a process
16 by which they would define a rupture if it is not
17 in -- if it's -- as an alternate to this 10-
18 percent, 15-minute criteria. I just offer that
19 rather than for -- just to offer up that as an
20 alternative to that specific criteria that an
21 operator would put -- have a defined process that
22 they use to vet out what a rupture is. And I

1 think that's much more real about what's really
2 going to happen and much more practicable to me
3 than unintended consequences.

4 So I think inserting that somewhere at
5 the end of that first sentence or somewhere -- I
6 think at the end of that first sentence would
7 make sense, or that an operator would define a
8 process by which you define rupture.

9 CHAIR DANNER: So with that kind of
10 flexibility is there any unintended consequence
11 that would be harmful, that you can think of?

12 MR. DRAKE: Well, I certainly don't
13 want to speak for other members of the Committee,
14 but I would assume that people would be worried
15 that we would be taking a long time. And I am
16 fine to put in language as soon as practicable, a
17 performance standard, but I -- that's the only
18 downside I can see, is that people would be
19 worried that we would take a long time.

20 And I can assure you that we -- in the
21 following of an event we are interrogated at very
22 great length about the diligence that we use to

1 define rupture and response. So this is not a
2 place where operators are looking to take a long
3 time.

4 MR. GALE: Mr. Chairman, John Gale.
5 If I may?

6 CHAIR DANNER: Yes, Mr. Gale, go
7 ahead.

8 MR. GALE: Thank you.

9 Member Drake, as I am sure you are
10 aware, in the definition of notification of a
11 potential rupture, right, there's an option in
12 the first -- sentence there. Number 2 was for an
13 operator to establish that definition in their
14 procedures manual. We then go onto to tie it
15 back to the 10 percent within 15 minutes, and if
16 it's exceeded, it must be documented why.

17 What we've put up on the screen is a
18 modification to effectively -- to vote -- a
19 recommended vote slide, where we would -- we
20 added a second sentence here. So we -- and the
21 third bullet now reads: requiring that the valves
22 be closed as soon as practicable within 30

1 minutes of operator identification of a rupture.
2 Operators must document a method of -- I am
3 sorry, for rupture identification in their
4 procedures manual. Is that getting to your
5 point, sir?

6 MR. DRAKE: That hits it very well,
7 John. Thank you.

8 MR. GALE: Yes. Thank you, sir.

9 CHAIR DANNER: All right. Thank you
10 for that, John.

11 Rich Worsinger?

12 MR. WORSINGER: Hi, this is Rich
13 Worsinger with Wilson Energy.

14 Just wanted to explore that concern
15 that has been brought up about should valves be
16 closed just because a rupture occurred, if that
17 rupture is then presenting a hazard to the public
18 especially -- we've got the New England situation
19 that Andy mentioned. There's also areas where
20 you have so many systems that are served by one
21 pipeline. And if there is a rupture and the gas
22 is being vented to atmosphere and vented safely,

1 that that is not a hazard, presenting a hazard or
2 a potential hazard, should the operator be given
3 the leeway to not close the valve?

4 MR. GALE: Chairman, if I may?

5 CHAIR DANNER: Yes, you may.

6 MR. GALE: Thank you, Chairman. John
7 Gale again, PHMSA.

8 Thank you, Rich. Again, what I was
9 hoping for, in terms of the discussion, if we
10 could -- if we are done with the discussion for
11 the most part of the issue of rupture and
12 identification versus notification and the
13 procedure manual, then I'd recommend moving into
14 the discussion of the issue of leaving valves
15 open.

16 So maybe, Chairman, if you could
17 survey the members if we are past that issue and
18 then we can move onto this topic of leaving
19 valves open, because the PHMSA staff has a
20 recommendation on that as well.

21 CHAIR DANNER: All right. So,
22 members, you've heard the discussion about

1 ruptures, on the definition of rupture, and
2 you've heard the language proposed by PHMSA staff
3 in response to Mr. Drake's comments. Is there
4 any further discussion on that before we move to
5 the question of leaving valves open?

6 Well, John, I am not seeing any hands
7 up, so I think we probably have closed that
8 discussion up then.

9 MR. GALE: Very good. Chairman, what
10 I would recommend -- and again this is John Gale,
11 is to see if there's any other Committee members'
12 comments that want to make relative to that
13 issue. But I think Sara has raised her hand.

14 CHAIR DANNER: Yes, she has. Sara?

15 MS. ROLLET GOSMAN: Thanks. Okay. So
16 on this -- let me just say for a moment on the
17 question of scope here, yes, I mean I think we do
18 disagree on the law here and authority, and one
19 reason I think I do is because you are creating
20 the same set of possible valves, right, all the
21 way from manual to automated. And so to me it
22 seems like you are separating the distinction

1 between the question of installing and design and
2 the ultimate question of what you want to see in
3 terms of the operators moving fast to close. But
4 I recognize that I am the only one who has that
5 particular concern, so I was embracing it. I
6 think that's where we are.

7 So on the question of rupture
8 identification, I certainly understand the
9 importance of this to operators, because clearly
10 they're going to have to identify the rupture in
11 order to be able to move towards closing and
12 they're going to have to identify that it is a
13 rupture in the first place in order to be able to
14 then have a requirement that they close.

15 I am a little concerned about the
16 open-ended way in which operators are going to be
17 allowed to identify ruptures in their procedures
18 manual, and I assume that the way that this would
19 be enforced is through the regular PHMSA
20 inspections and enforcement of procedures
21 manuals.

22 I guess this is a question for John

1 about how this would operationalize so that
2 operators would -- there would be some check on
3 the question of what's a reasonable rupture
4 identification. Thanks.

5 CHAIR DANNER: So, John, do you want
6 to respond to that?

7 MR. MAYBERRY: Actually if -- this is
8 Alan. I can -- since I brought up the
9 enforcement issue, yes, it would be subject to
10 the inspection, but we expect that the primary
11 method -- or, the primary would be to meet the 30
12 minutes, but if there's an alternative method to
13 the definition we have in there that we would
14 inspect that when we are out there doing our
15 inspections.

16 CHAIR DANNER: Chad Zamarin?

17 MR. ZAMARIN: Thank you. Chad Zamarin
18 with Williams. Maybe just to give a little bit
19 of operator perspective to Sara's question, the
20 way I interpret a requirement that we must
21 include a rupture identification process in our
22 procedures manual means it becomes part of our

1 operations and maintenance manual, which then
2 becomes effectively a regulatory requirement.
3 And we have to -- that will be audited by PHMSA
4 when they audit our O&M procedures, and if we
5 aren't -- one of those procedures aren't up to
6 what PHMSA deems to be an appropriate standard,
7 PHMSA can issue a notice of amendment, a notice
8 of violation. And if we don't follow that
9 requirement, PHMSA can take enforcement action
10 against us. So hopefully that gives a little bit
11 of color around how, at least from an operator's
12 perspective, I think we interpret that meaning.

13 CHAIR DANNER: Sara --

14 MR. MAYBERRY: Chairman --

15 CHAIR DANNER: Oh, let me see if Sara
16 had any follow-up question to that response.

17 MS. ROLLET GOSMAN: Yes, thank you.
18 I think that answers it. We are still using the
19 language that PHMSA has proposed, though, that
20 what they're terming notification of a rupture,
21 we are terming it identification. Is that the
22 step here?

1 CHAIR DANNER: Alan?

2 MR. GALE: Sorry. This is John Gale,
3 again, Chairman.

4 CHAIR DANNER: Sure.

5 MR. GALE: So if you see the first
6 bullet, Sara, we are recommending to change the
7 definition as -- a rupture as recommended by
8 PHMSA staff during this meeting and as presented
9 in slides. I think it was slide 36 that shows
10 our new definition.

11 Yes, that's it, Bobby. Thank you.

12 So you see the -- in number 2 there,
13 it says the operator observes an unanticipated
14 unplanned pressure loss outside of the pipeline's
15 normal operating parameters, as defined in the
16 operator's procedures.

17 Now what we do is we go on then and
18 say, if the operator establishes a threshold that
19 is greater than a 10 percent pressure loss
20 occurring within a time frame of 15 minutes or
21 less, the operator must document the need for the
22 higher pressure change threshold due to pipeline

1 flow dynamics caused by fluctuations in gas.

2 In other words, if they go above the
3 level -- this is effectively -- this is not much
4 different than what was proposed. Really we just
5 flipped the sentences, to a large degree. And we
6 give the operators some flexibility, but then say
7 if you are going to exceed it, you have to
8 document the whys. So we are recommending going
9 to this definition.

10 MR. ROLLET GOSMAN: Okay. Thank you.
11 That's very helpful.

12 MR. GALE: You are welcome, Sara.

13 And, Chairman, if there's no other
14 further discussions on that, I would recommend
15 moving on to the issue of leaving the valves
16 open.

17 CHAIR DANNER: All right. Let us do
18 so.

19 Well, Pete Chace, you have your hand
20 up. Are you talking about leaving valves open or
21 do you -- are you on the last conversation?

22 MR. CHACE: Just real briefly on the

1 last conversation, how much gas is a large volume
2 of gas?

3 CHAIR DANNER: Who wants to take that
4 question?

5 MR. GALE: I believe that is some of
6 the verbiage that you'll see currently -- and,
7 Steve Nanne, correct me if I am wrong -- that
8 you'll see in the accident/incident notifications
9 that are the instructions for filling out the
10 incident notification. But really what ends up
11 being tied to it, Pete, is really the tie to that
12 10 pressure loss in 15 minutes.

13 MR. CHACE: Got it.

14 MR. GALE: Thank you.

15 CHAIR DANNER: All right.

16 MR. CHACE: That's got nothing to do
17 with the large volumes as defined in the incident
18 definition?

19 MR. NANNEY: To get a large volume
20 would be many times over, in most cases, 3
21 million.

22 MR. CHACE: Yes. Okay. Thank you.

1 CHAIR DANNER: All right. Mary
2 Palkovich?

3 MS. PALKOVICH: Yes, I just wanted to
4 make clear -- can't define large volume in the
5 operator procedures in accordance with slide
6 number 36, or whatever it was, that we just went
7 through? I mean, I am not talking if it's in
8 confliction with the incident report, but I am
9 saying for small systems that may have a smaller
10 amount I can -- I am trying to clarify that
11 aren't we defining here large volume in our
12 operating procedures, per what John Gale just
13 went through?

14 MR. GALE: Technically that would be
15 correct, yes. That's what the 10 percent in
16 within 15 minutes was trying to establish.
17 Exactly. That's exactly right, Mary.

18 MS. PALKOVICH: So we might want to --
19 if anybody doesn't mind, to me you just gave the
20 go-ahead in the 10 percent and the 15 minutes for
21 me to define that in my operating procedures
22 subject to audit by my regulator.

1 MR. GALE: I think that's very well
2 said.

3 MS. PALKOVICH: Thanks.

4 CHAIR DANNER: Okay. So did you have
5 a proposed wordsmith to slide 36 then, Mary?

6 MS. PALKOVICH: Let's see. Where is
7 -- do you have it pulled up? Because we could
8 just put it, right where it says in their
9 procedures manual, bullet number 3, operators
10 must document --

11 CHAIR DANNER: Can we put up slide 36?
12 Thanks. Go ahead, Mary.

13 MS. PALKOVICH: Okay. So I am looking
14 at the bullet that says, per the operator's
15 procedure. I think it's under -- it might have
16 been on that other slide where it said, operating
17 procedures, the one you had before. I think it
18 was slide 40. Where it says, operator procedure,
19 is where we need to make sure that -- for the 15
20 or less. Let's see.

21 Maybe right there on number 2 after it
22 says, 15 minutes or less the operator must

1 document in its procedures, and then the
2 fluctuation.

3 So what we are trying to do is avoid
4 people walking away saying, well, it's all about
5 incident reports, volume criteria. And in this
6 conversation we are not saying that. We are
7 saying that in my procedures for my 15 minute, 10
8 percent I can document -- I can define large
9 volume. So we need to add it right in that one
10 part. I think it's number 2 there.

11 CHAIR DANNER: Right. So the second
12 to the last line in number 2 you'd say, you must
13 document in its procedures?

14 MS. PALKOVICH: Yes. And I mean,
15 unless we need more clarification, you could just
16 put in parens -- it says flow dynamics. We could
17 put in parens right there, including the rate, or
18 about -- rate or volume. Because if you are
19 doing a flow dynamic analysis, you are showing
20 your rates and your volumes. That would be
21 clearer.

22 CHAIR DANNER: All right. Is there

1 any comment on that proposal from members or from
2 PHMSA?

3 MR. GALE: I think, Chairman -- this
4 is John Gale again. I think we'd be comfortable
5 with those changes. I am not sure if we need to
6 actually put it in the vote slide. I'll ask Mary
7 if she'll just trust me.

8 MS. PALKOVICH: Of course.

9 MR. GALE: Thank you. All right.

10 CHAIR DANNER: We all trust you.

11 MR. GALE: Thank you.

12 CHAIR DANNER: All right. Very good.

13 Are we ready to move on?

14 Okay. I see a hand up. Sara?

15 MS. ROLLET GOSMAN: When you said move
16 on, I am sorry, Chair, did you mean to a vote?
17 Because I think I --

18 CHAIR DANNER: No, we are --

19 MS. ROLLET GOSMAN: Okay.

20 CHAIR DANNER: -- discussing the valve
21 -- leaving the valves open.

22 MS. ROLLET GOSMAN: Okay. Yes, so

1 just as long as I am on then, a quick comment
2 about that. I think -- particularly since EDF is
3 not here, I think it's important to point out
4 that there are environmental consequences to
5 continuing to release gas that we need to take
6 into account here and balance against the safety
7 set of issues. So I'd want to be clear that
8 that's what we were doing in this, if this is an
9 exception or just acknowledging that this could
10 happen, but also acknowledging that it's not
11 necessarily something that's neutral for the
12 environment. Thanks.

13 CHAIR DANNER: Thank you. And I agree
14 with that. I think that's very strongly the
15 direction in my state.

16 So any other comments? Yes, Chad?

17 MR. ZAMARIN: Thank you. Chad Zamarin
18 with Williams. I agree with Sara. I think that
19 we can word this in a way where the operator has
20 to balance with the emergency responders the fact
21 that safety is not going to be compromised, and
22 take into account considerations for the

1 environment, but also recognize -- I mean I will
2 note what Rich talked about: outages on
3 distribution systems are not only very labor
4 intensive from a restarting pilots perspective,
5 but it's also -- it can be a significant safety
6 issue, and it can have additional, kind of,
7 downstream impacts.

8 So I think providing some flexibility
9 is really important, because these are very
10 complicated operating systems and if we have
11 assured safety of the site and we are taking into
12 consideration the need to minimize the
13 environmental impact but at the same time we are
14 not compromising the potential domino effect with
15 respect to safety and operational reliability, I
16 think -- if we can craft something that balances
17 all of that, I think we'd be smart to do so.

18 Thank you.

19 CHAIR DANNER: All right. Thank you.

20 Anyone else wishing to comment on
21 this?

22 Chad, did you have any proposed

1 language that you would want to add to that
2 bullet point?

3 MR. ZAMARIN: Wow, I don't know.
4 Maybe I'll ask PHMSA if they have any thoughts on
5 this issue. I didn't have any specific language
6 --

7 (Simultaneous speaking.)

8 MR. GALE: Chairman, John Gale. If I
9 may?

10 CHAIR DANNER: You may.

11 MR. GALE: Thank you, sir. We are
12 going to post a revised slide here. I wouldn't
13 call it -- it's not a revision to the actual
14 voting slide, but something we could add to it,
15 upon agreement, addressing this issue. It's
16 coming up shortly here and I am going to ask
17 Steve Nanney if he can walk us through it real
18 fast.

19 CHAIR DANNER: All right. Thank you.
20 So let's be patient while it comes up.

21 MR. GALE: Bear with it, please.

22 Bear with us. We are just trying to

1 get the slide up.

2 CHAIR DANNER: All right. It's up.

3 Thanks.

4 MR. NANNEY: All right. Anyway, if
5 you look at the wording that we added and
6 highlighted in yellow, PHMSA would be receptive
7 to allowing operators to include such actions in
8 their O&M procedures upon submittal of a
9 notification that includes the issue or concern
10 with immediate down closure; two, to the proposed
11 O&M procedures; three, justification that the
12 proposed actions would improve accident
13 mitigation; four, documentation of concurrence by
14 emergency responders or other involved third
15 parties.

16 In other words, at the time that an
17 incident is ongoing to expect an emergency
18 responder to know how to answer that question
19 would not be very fair to the emergency
20 responder.

21 Five, receipt of a no-objection
22 response from the Associate Administrator of

1 PHMSA.

2 So that is what PHMSA would propose if
3 they're -- in the few cases that we are talking
4 about here. Any questions?

5 I'll turn it back over to you,
6 Chairman Danner.

7 CHAIR DANNER: Thank you. I do have
8 one question: is it possible that in bullet -- or
9 little sub-bullet iii that it could be,
10 justification of proposed actions would improve
11 accident mitigation and would not result in
12 significant environmental degradation, or
13 something along those line?

14 MR. NANNEY: We could add the
15 environmental language to it, yes.

16 CHAIR DANNER: Well, that would satisfy
17 me. I don't want to speak for anyone else.

18 Chad?

19 MR. ZAMARIN: Thank you. Chad Zamarin
20 with Williams. The only thing that -- I think
21 the concept works, but I don't know that the
22 notification process and the no-objection

1 response fits for this scenario. I wonder if we
2 can't just have the language state that PHMSA
3 would allow operators, in coordination with
4 emergency responders and other involved third
5 parties with consideration for safety,
6 environmental, and service reliability impacts to
7 allow valves to remain open during rupture
8 scenarios.

9 And if looking back at that action,
10 PHMSA had issue with the way an operator made
11 that determination, I think they could take
12 action, but the idea that an operator would make
13 notification, I mean we are talking about a
14 decision that's likely needing to be made under a
15 very complex set of circumstances in an incident
16 response mode and I just don't know that that
17 fits well for a notification and no-objection
18 response from the Associate Administrator. Could
19 we not just make it a process that an operator
20 has to follow and if PHMSA then deems it wasn't
21 appropriately followed, then action can be taken
22 after the fact?

1 Thank you.

2 CHAIR DANNER: Thank you.

3 Sara?

4 MS. ROLLET GOSMAN: Yes, so I would
5 like to keep this as limited as possible because
6 I think I agree with PHMSA here, that the need to
7 isolate really is paramount and that we should be
8 really focused on that. And partly of course I
9 come at this from the perspective of the
10 environmental issues. And I would say that I
11 think it is important as PHMSA has proposed it to
12 have some process of review by PHMSA on the front
13 end about the kinds of circumstances in which
14 this would be used as a -- really a way of making
15 sure that it is limited.

16 MR. MAYBERRY: Mr. Chairman, if I may?
17 This is Alan Mayberry. Can you hear me?

18 CHAIR DANNER: Go ahead, Alan.

19 MR. MAYBERRY: Just in response to
20 what Chad was talking about, what about -- an
21 alternative would be notification to the Region
22 Director or the State Program Manager. Eliminate

1 the feedback mechanism and just change the level.

2 CHAIR DANNER: Chad?

3 MR. ZAMARIN: Yeah, again I just don't
4 know if we are looking for a formal response, no
5 objection. I would have thought requiring us to
6 put maybe it in our documentation, you know, the
7 process that we'll go through to make this
8 determination, have PHMSA audit that on the
9 front end. But then I just wonder if waiting for
10 an approval is something -- and maybe this isn't
11 saying you have to wait for an approval. This is
12 sort of saying you have to receive a no objection
13 response. I just think when you think about the
14 incident as it's occurring and the speed at which
15 decision making needs to occur -- I think we just
16 need to be careful.

17 But, Alan, to your point, when
18 incidents are occurring, we are in communications
19 with our region offices. I just don't know if
20 deciding whether or not to close a valve -- we
21 have the time to go through a formal process and
22 receive a formal response from even the region

1 director. But if we are making a notification, I
2 don't think that's an issue. But it just feels
3 like this language has a very formal process that
4 might not work under the heat of the moment.

5 MR. MAYBERRY: Yes, Mr. Chairman, if
6 I may?

7 CHAIR DANNER: Yes, go ahead.

8 MR. MAYBERRY: Yeah, just -- Chad, I
9 think we are talking just notification that would
10 eliminate the feedback that you would need to get
11 from me.

12 MR. ZAMARIN: Okay. Yes, I --

13 (Simultaneous speaking.)

14 MR. MAYBERRY: And it would be a
15 briefing at the region level or the state program
16 manager level, since I anticipate this may come
17 up actually more on the state level, actually.

18 CHAIR DANNER: And so this is
19 something -- just to clarify, this is something
20 that could be resolved very quickly at the
21 regional or state level?

22 MR. MAYBERRY: Correct.

1 MR. ZAMARIN: Yeah, and, Alan, if you
2 are talking about removing that five, the
3 romanette v, I think that would -- and make it at
4 a region or lower level, I think that would work.

5 MR. MAYBERRY: Okay. Yeah, we are
6 making some edits, so we'll put that up there.

7 MR. NANNEY: Chairman Danner, this is
8 Steve Nanney.

9 CHAIR DANNER: Yes, go ahead.

10 MR. NANNEY: One other comment is this
11 notification should not be a notification that
12 comes in for lines that are looped lines. This
13 should basically be for single line systems
14 that's feeding a critical type of infrastructure,
15 not that it would be used across the board.
16 Because normally if you've got looped lines, you
17 should have -- and it's that critical, you should
18 have separate feeds from at least two of the
19 looped lines.

20 CHAIR DANNER: All right. Thank you.

21 MR. MAYBERRY: This is Alan. I think
22 we can still work with that. I can imagine

1 probably some limited scenarios where you may
2 have a back-feed, but it's not adequate. But --
3 and you may have to address it in some different
4 way, but we can work with this.

5 CHAIR DANNER: So the way it's written
6 right now would just be submittal of a
7 notification to the regional director. It
8 doesn't seem to contemplate a response from the
9 director or the state program manager. Is that
10 what you are intending?

11 MR. MAYBERRY: That would be correct.

12 MR. NANNEY: And, Chairman, you can
13 see the language we are revising up here as we
14 discussed. I apologize. We missed where the --
15 the discussion or the addition of the addressing
16 environmental concerns where that was being
17 recommended to be added.

18 CHAIR DANNER: Oh, what I was
19 proposing there is in sub-3, comma, "and would
20 not result in significant environmental
21 degradation."

22 MR. NANNEY: So did you follow that,

1 sir, that --

2 MR. MAYBERRY: Yeah.

3 MR. NANNEY: And so what we would
4 recommend, members, is that we would just add
5 some verbiage back on the vote slide that would
6 just kind of sync back to this discussion and to
7 address the issue of allowing valves to remain
8 open during certain emergency situations as
9 discussed during the meeting with PHMSA staff, or
10 something along those lines.

11 (Simultaneous speaking.)

12 MR. NANNEY: Mr. -- go ahead,
13 Chairman.

14 CHAIR DANNER: No, I was just going to
15 say I want to edit my edit and change the word
16 degradation to impact.

17 MR. NANNEY: Thank you.

18 CHAIR DANNER: Sara?

19 MR. ROLLET GOSMAN: Yes. Now I just
20 want to make sure I understand the issue here
21 because I feel like the language in front of us
22 is different than what I am hearing from Chad.

1 So are we dealing with a situation
2 where we are at the front end thinking about the
3 circumstance where we might need to keep the
4 valve open, putting them in the O&M procedures,
5 sharing them with PHMSA, getting PHMSA then to
6 perhaps give feedback on that, or are we talking
7 about the emergency situation in which we are in
8 the middle of the 40 minutes and we have to
9 decide whether to keep it open or closed?

10 Because if it's the former, I think this process
11 makes a lot of sense and I -- again I feel like
12 having the no objection letter makes a lot of
13 sense, too, because it's really an exception to a
14 general rule here.

15 If it's an emergency situation, I
16 don't know that any of -- all of this can be done
17 within that point in time in which you've got to
18 make that immediate call. And so -- yes, so I'll
19 leave it there, but I am just confused, frankly,
20 about the context in which this is going to be
21 implemented.

22 CHAIR DANNER: Okay. We have a couple

1 of hands up, but I am wondering if anyone wants
2 to respond to that specific question and clarify
3 the context here.

4 All right. Well, Mary, you had your
5 hand up next.

6 MS. PALKOVICH: Yeah, it wasn't
7 related to Sara's comment, but I just --

8 CHAIR DANNER: Oh, okay.

9 MS. PALKOVICH: -- I don't know -- my
10 question was how do you define significant
11 environmental impact?

12 CHAIR DANNER: Okay. So let me see if
13 there's anyone who wants to respond to Sara's
14 question first.

15 Chad, did you have your hand up in
16 response to that?

17 MR. ZAMARIN: Yeah, maybe I can try.
18 I actually think Sara did a good job of
19 articulating how this should be implemented by
20 PHMSA. I think we can put into our procedures
21 the process that we would go through and the
22 things that we would consider in making this

1 determination. And then -- and I agree, that can
2 be reviewed by PHMSA. That can be subject to
3 inspection. I don't know that we need a
4 notification for creating that and putting it
5 into our O&M manual, but I do think that having
6 that in our O&M procedures makes good sense.

7 I think then the application of that
8 process in the -- when the event occurs -- I
9 agree. I mean that was my concern is that -- I
10 do actually think PHMSA implementing this can
11 create a little bit of differentiation between,
12 yes, we need to put into our procedures some --
13 the things.

14 And I think to -- even to Mary's
15 question that's where we would define what we
16 mean by environmental impact, assurance of
17 safety, how we would gain concurrence of
18 emergency responders and engage with other
19 involved third parties. I think we can put that
20 into our procedures and then the actual
21 implementation during an event would be subject
22 to review by PHMSA and ensure that we followed

1 that process appropriately.

2 CHAIR DANNER: Thank you.

3 Rich, did you want to -- did you have
4 a follow-up on that point, or did you have
5 another --

6 MR. WORSINGER: Yeah, just a couple
7 related comments. This is Rich Worsinger, Wilson
8 Energy.

9 First, I think that the need for this
10 is to give that ability to not shut the valve in
11 a blowing gas situation. Happens but it's going
12 to be a rarity, a very rare occurrence.

13 I am concerned with that item iv,
14 documentation of concurrence by emergency
15 responders and other involved third parties. If
16 that means that a pipeline would have to contact
17 every fire department along the route of their
18 pipeline and get their concurrence ahead of time,
19 I just don't know that that would happen. And I
20 think that the decision to do this would be on a
21 case-by-case basis.

22 And although my experience is more on

1 the distribution side than transmission side,
2 there are times where we've had a distribution
3 line that's been hit and the gas is blowing and
4 we realized that it's not getting into any
5 buildings, there's nothing nearby and the more
6 prudent response is to take the time to dig up
7 the plastic gas main and squeeze it off rather
8 than shut off the valves that come into the town.

9 And I would be looking for the same
10 kind of thought process and consideration given
11 to the transmission line responders. If they saw
12 this was out in the middle of a very rural area,
13 no buildings around, the gas is not getting into
14 anything and it supplies a town where you've got
15 two, three, 5,000 meters, the more prudent thing
16 to do would be to not shut it down, but develop a
17 plan to deal with it. I hope that helps.

18 MR. MAYBERRY: Chairman Danner, this
19 -- are you --

20 CHAIR DANNER: Oh, I am sorry. I am
21 on mute.

22 MR. MAYBERRY: Oh, that's all right.

1 CHAIR DANNER: Yeah, go ahead. What
2 were you just telling me, that I was on mute?

3 MR. MAYBERRY: Well, I think here's
4 where we are: We would agree this is not a
5 concurrence you seek when an event is going on.
6 There's an expectation that this would be cleared
7 before the event. So it's important to have that
8 provision in O&M, but then also you really are
9 going to need the concurrence, or at least the
10 notification of the RD or the state program
11 manager for the event.

12 In these rare cases where you may have
13 a single feed or have the need to do this I would
14 expect that operators are already working with
15 their local responders, the fire services to have
16 a collaborative -- collaboration, level of
17 communication that -- where there's an
18 understanding of how incidents are responded to,
19 made safe and how areas where they address a fire
20 if it's occurring or a release of methane that's
21 ongoing and getting it shut down, or in this case
22 the need to allow it to vent safely.

1 But I think that -- yes, there's no --
2 in fact there's one of our concerns in one of the
3 comments is we didn't think this was something
4 that would need to be -- that would be
5 established and delay the event or delay the
6 response to the event. There's an expectation
7 that this would really be part of a robust
8 program to communicate with the local responders
9 and with the region or the state program manager
10 in cases where you may have to vary from the
11 expectation that the valve be closed.

12 Anyway, that's kind of our general
13 thinking and whatever voting language you need to
14 get there, I think the way it is -- at least you
15 have my thoughts on it, so if we can get there
16 with this voting language, all the better.

17 Thanks.

18 CHAIR DANNER: Okay. Thank you.

19 Mary, you had your hand up. Now you
20 have your thumb up. You want to comment?

21 MS. PALKOVICH: Yeah, I do think the
22 way that it's currently written on the screen

1 implies that all four of those need to be
2 satisfied in the operator procedure, whereas I
3 think the intent is that your -- what Alan just
4 said, which is your procedure says the goal is to
5 get it closed as soon as practicable, but the
6 operating procedures are not going to lay out
7 every possible scenario where you might have to
8 have it open.

9 So I think that if you revise that to
10 show that these are some of the examples, these
11 four, that might be in there, maybe it's an or,
12 but the way it's currently written it looks like
13 it has to include all four. And I think we need
14 to fix that.

15 CHAIR DANNER: But you don't see that
16 there would be a discussion of all four of those?

17 MS. PALKOVICH: I don't disagree there
18 would be a discussion. I still have an issue
19 with the words significant environmental impact
20 because it's not -- unless you define it in the
21 procedure. And then that's really not a PHMSA
22 jurisdictional issue. So I've got issue with

1 that. But I think the way it's currently written
2 it kind of implies you've got all four. So I
3 think we need to clean it up. But the intent is
4 that close it as soon as practicable and with the
5 justification improving -- the language I think
6 is there. It's just as it's currently written,
7 it looks like you have to have all four.

8 CHAIR DANNER: Well, that's the way I
9 read it. I am not sure I have a problem with
10 that. Let me just say though with regard to the
11 significant environmental impacts, what I am
12 looking for is a way to acknowledge that, if you
13 are going to be venting for a long time, that
14 does have an environmental impact, and that needs
15 to be acknowledged in whatever your procedures
16 are. You just can't vent at will. At some point
17 that's not a good thing. That's where I am
18 coming from. So I am trying to make sure that
19 that is acknowledged in the procedures that we
20 are putting forward here. So that's just my
21 view.

22 Let me turn to Sara.

1 MS. ROLLET GOSMAN: Okay. Thanks. So
2 just to go back, I think Chad and I are in
3 agreement here, and I -- and, Mary, to your
4 point, I mean I do see all of those four things
5 as necessary, because I see them as elements of
6 the submittal that is being made to PHMSA here in
7 the notification as to why this set of
8 exceptions, leaving the valves open, should be
9 allowed, right, when we otherwise have a 30-
10 minute time limit.

11 So I would want all of these things to
12 be included. And I really do see this as a
13 front-end planning analysis that covers the types
14 of hopefully unusual circumstances in which you
15 would not be able to meet that 30-minute limit.
16 And, yes, whether there's a no objection letter
17 required or not, I'd like one, but I don't feel
18 strongly about it as long as we have the
19 notification that includes the design. Thanks.

20 CHAIR DANNER: Okay.

21 Pete, you've had your hand up for a
22 while, but let me ask Mary if she wants to

1 respond first.

2 MS. PALKOVICH: Yeah. So the scenario
3 we talked about earlier could -- let's play it
4 out. So this happened 15 years ago. Tornado
5 comes through town in March, blows down 10 trees,
6 snaps gas lines, they're blowing. You've got a
7 valve that is wide open but you've got to crack
8 it in order to keep the gas on so a week later
9 when it's 20 below zero you don't run people out
10 of gas. I am trying to figure out how that
11 scenario with these four -- and I think if we
12 didn't say significant environmental impact or
13 something along the lines of -- the goal is not
14 to have prolonged venting. We all understand
15 that we are trying to mitigate. We don't want
16 gas going to the atmosphere.

17 But then maybe I could live with it,
18 because I hear what you are saying, Sara, that
19 you are going to talk about why it's bad to have
20 the immediate valve closure. You are going to
21 talk about your procedures. You are going to
22 talk about justification. So documentation of

1 concurrence by emergency responders, you are
2 going to catch that in your twice-a-year meetings
3 with the fire and emergency responders and other
4 involved third parties. So I can kind of see
5 that, but I think maybe I am hung up on the
6 significant environmental impact language.

7 MR. MAYBERRY: Mr. Chairman, this is
8 Alan Mayberry. I think we have the direction. I
9 think we understand, based on the comments we've
10 had here, what we are after. I think we have
11 good language up here. I would just make one
12 tweak just to address -- because we are getting
13 comments from PHMSA staff, too, even that maybe
14 we say minimize environmental impact.

15 Just change the word -- let's see.
16 Instead of saying and would not result in
17 significant environmental impact, just say would
18 minimize environmental impacts, because that's
19 what we are after is to getting the methane
20 emission shut down as quickly as possible. And
21 therefore we don't get into having to define
22 significant.

1 CHAIR DANNER: Yes, I understand.
2 Really what I was looking for was an
3 acknowledgement. And I think I'll just -- I
4 would have a problem with any procedures going
5 forward that just basically give everyone a green
6 light to vent for as long as they feel they want
7 to.

8 Okay. Pete, you've been waiting.
9 Thank you for your patience.

10 MR. CHACE: Yeah, first of all, I just
11 want to say thanks. Speaking as a former state
12 program manager, I appreciate the inclusion of a
13 state program manager in that notification.

14 Generally I am not sure -- depending
15 on where the definition of rupture lands, I am
16 not sure this is going to be such an infrequent
17 occurrence as someone may think. So I think this
18 is necessary.

19 In part 4 you've got documentation of
20 concurrence by emergency responders and other
21 involved third parties. Personally I think other
22 involved third parties might be a little

1 dangerous. You may want to put some boundaries
2 around what involved means or honestly I think
3 you'll get every Karen on the street giving you
4 veto power over whether a line can stay open or
5 not. But those are the comments.

6 CHAIR DANNER: So can I ask who we are
7 thinking of when we are thinking of other
8 involved third parties?

9 MR. CHACE: Concerned citizens,
10 professional troublemakers, I don't know. It
11 happens.

12 CHAIR DANNER: Well, I was actually
13 putting the question to PHMSA staff who gave us
14 the language.

15 MR. CHACE: Okay.

16 CHAIR DANNER: Steve, you want to
17 expand on the phrase other involved third parties
18 when we --

19 MR. NANNEY: It would just be your
20 departments, police, whoever those emergency
21 responders would be.

22 CHAIR DANNER: So could we just leave

1 it as emergency responders?

2 MR. NANNEY: I think that would be
3 fine.

4 CHAIR DANNER: All right. Pete, did
5 you have more? Your hand is still up.

6 MR. CHACE: No, I'll take my hand
7 down. Thank you.

8 CHAIR DANNER: All right. Chad?

9 MR. ZAMARIN: Thank you, Mr. Chairman.
10 I am actually -- I got a text from Andy. I
11 raising my hand on his behalf. He's having
12 trouble with raising his hand.

13 So, Andy, are you on?

14 MR. DRAKE: Yeah, I am. I don't know
15 what's wrong with my system here, but I can't
16 seem to get it to register raising my hand.

17 This is Andy Drake with Enbridge. I
18 just want to try to punctuate this conversation,
19 that these situations are extraordinarily rare
20 and I don't want to gobble up all of our time
21 here on an important rulemaking talking about
22 something that's incredibly unusual. And I think

1 that we've had quite a discussion here and my
2 recommendation is give this to PHMSA; and PHMSA
3 has heard the discussions, understands what we
4 are trying to do here, and let them resolve this
5 rather than us to keep continuing to try to fine
6 tune language around this when it's an incredibly
7 rare event and we are just really trying to
8 create a placeholder for when such events happen,
9 how do we proceed? And I -- my recommendation is
10 let PHMSA address this unique situation.

11 CHAIR DANNER: Yeah, thank you, Andy.
12 I think we are actually almost at closure on
13 this. So I would concur.

14 So let me put it out to the members,
15 if any of them have a desire to keep going on
16 this.

17 John Airey, you have your hand up as
18 well.

19 MR. AIREY: Not to disagree with Andy,
20 but I think I agree more with Pete's comment that
21 the single feed locations in Ohio small towns are
22 relatively common. But I totally agree with

1 Andy. You guys can revise it to make it work. I
2 think this is potentially going to happen a bit
3 more often than expected, but I think we've
4 adequately addressed it.

5 CHAIR DANNER: Okay. And just a
6 reminder that we are an advisory committee, so
7 what we are doing is we are giving our sense to
8 PHMSA and they'll take it from there.

9 So I think -- unless there's any
10 further comment on this, I think we have our
11 direction there. Do we want to go back to the
12 recommendation slide then?

13 MR. GALE: You pulling that up,
14 Sayler?

15 (Pause.)

16 MR. GALE: It's coming.

17 CHAIR DANNER: Okay. I see it up. So
18 let's go forward and discuss other issues.

19 Sara, you have your hand up?

20 MS. ROLLET GOSMAN: Yeah. Thanks. So
21 I would like to talk about the manual valve
22 exception here, and what I'd like to propose is

1 that -- as I read it, there's no alternate
2 closure time required for these. It's just an
3 exception. I think there should be an alternate
4 closure time that is determined by PHMSA in these
5 situations, holding to a performance standard
6 here. And if it has to be greater because of the
7 very particular circumstances of manual valves in
8 non-HCA class 1 locations, then -- and having the
9 agency determine what an appropriate closure time
10 would be. Thanks.

11 CHAIR DANNER: So just to clarify,
12 would you want to specify one in this bullet
13 point?

14 MS. ROLLET GOSMAN: I am -- I do not
15 consider myself qualified to specify another
16 closure time. And I think what's happening -- or
17 maybe another way to phrasing it is I think
18 what's happening here is there are particular
19 context-dependent issues involved in these manual
20 valves in non-HCA class 1 locations that make
21 meeting that 30-minute closure time difficult to
22 impossible. And that's why we are having this

1 discussion and this exception. If that is the
2 circumstance, then I think it is an
3 individualized determination that PHMSA would
4 need to make. And so having another bright-line
5 rule about a particular closure time I just don't
6 think fits the problem.

7 CHAIR DANNER: So, yeah, I mean I had
8 that concern, too, but that's why I asked the
9 question early on about the process, that these
10 notifications do include a demonstration and
11 those would be reviewed by PHMSA. And my
12 understanding is that PHMSA would issue a no
13 objection if they have no objection. Is that
14 sufficient? Do you think that that ensures that
15 whatever the closure time is that the alternate
16 closure time would be a reasonable one?

17 MS. ROLLET GOSMAN: If PHMSA is
18 considering both the question of infeasibility as
19 it relates to installing the valve and as well
20 the question of what the appropriate closure time
21 would be, then -- as part of that notification
22 process, then I am fine with that. I read this

1 as if you -- if it's infeasible for you to
2 install an ASV or RCV, thus you have a manual
3 valve in a non-HCA class 1 location, you don't
4 have to comply with the 30-minute closure time
5 for full stop. And it's -- so maybe it would be
6 -- yes, just making clear exactly what the
7 exception is here.

8 CHAIR DANNER: Okay. So let me ask
9 John or Steve. That's your understanding, right?

10 MR. GALE: Yeah, I mean just to
11 clarify with Sara.

12 Sara, you'd be more comfortable if we
13 were to revise this so that as part of the
14 notification the operator specifies what this new
15 closure time would be?

16 MS. ROLLET GOSMAN: Yes.

17 MR. GALE: Okay.

18 MS. ROLLET GOSMAN: And the
19 notification would include -- would go under the
20 notification process, right, that you have --

21 MR. GALE: Exactly. Yes.

22 (Simultaneous speaking.)

1 MS. ROLLET GOSMAN: -- and then letter
2 of no objection, yes.

3 MR. GALE: Yes. So that we -- if we
4 -- if they come back with a time that we don't
5 think is acceptable, we can then deny it, or
6 object. Yes. Okay.

7 MS. ROLLET GOSMAN: That addresses my
8 concern. Thank you.

9 MR. GALE: Okay. I think that's
10 reasonable.

11 CHAIR DANNER: All right. Any further
12 discussion on that point?

13 (No audible response.)

14 CHAIR DANNER: All right. And then
15 finally does anybody oppose eliminating
16 duplication or improving readability?

17 (No audible response.)

18 CHAIR DANNER: Okay.

19 MR. GALE: As a government reg writer
20 we support that, leaving it in.

21 CHAIR DANNER: I think we have
22 concurrence on that point.

1 All right. So we have language in
2 front of us. Is it the Committee's intention
3 then that we are ready to take a vote, or is
4 there further discussion?

5 (No audible response.)

6 CHAIR DANNER: All right. I am going
7 to interpret the silence as we are ready to take
8 a vote. So I would entertain a motion to anyone
9 who wants to volunteer to do so.

10 (No audible response.)

11 CHAIR DANNER: If not, I will call on
12 you.

13 MS. BURMAN: I make -- this is
14 Commissioner Burman. I make a motion that we
15 vote. Just want to make a comment. I do have to
16 get off at as soon as we vote until 3:15 because
17 I am moderating a panel of the general session
18 for NARUC, but I am very supportive of the
19 discussion.

20 CHAIR DANNER: All right.

21 MS. BURMAN: I do make a motion -- and
22 I don't have anything in front of me because the

1 slides aren't working.

2 CHAIR DANNER: Oh, okay. Do we need
3 to actually recite the language, Alan, for the
4 record?

5 MR. MAYBERRY: Yes, we do.

6 CHAIR DANNER: Okay. So if -- Diane,
7 what I might do then is ask you to hold on and
8 second the motion.

9 MS. BURMAN: Yes.

10 CHAIR DANNER: And let's --

11 MS. BURMAN: Thank you.

12 CHAIR DANNER: -- have somebody who
13 can read it make the motion.

14 So, all right. Come on. Somebody
15 raise your hand.

16 Andy raised your hand. Thank you,
17 sir.

18 MR. DRAKE: This is Andy Drake with
19 Enbridge. I'd like to propose a vote that the
20 proposed rule as published in the Federal
21 Register and the Draft Regulatory Evaluation with
22 regard to rupture mitigation are technically

1 feasible, reasonable, cost-effective and
2 practicable if the following changes are made,
3 one, changing the definition of rupture as
4 recommended by PHMSA staff during the meeting and
5 as presented in this slide, eliminating the
6 prescriptive 10-minute rupture identification,
7 requiring that valves be closed as soon as
8 practicable within 30 minutes of operator
9 identification of a rupture, and operators must
10 document a method of rupture identification in
11 their procedures manual.

12 PHMSA will consider allowing valves to
13 remain open during emergency situations as
14 discussed during the meeting and as presented in
15 the slides. PHMSA will review the issues of
16 allowing certain valves to remain open during
17 emergency situations based on the Committee
18 discussion and public comments and ensure that
19 the integrity of the rule is not compromised and
20 would minimize environmental damage, allowing
21 manual valves in non-HCA class 1 locations only
22 be -- only to exceed the 30-minute closure time

1 requirement if the operator submits a
2 notification and demonstration that installation
3 of an ASV or RCV is economically, technically or
4 operationally infeasible and provides a specific
5 closure time.

6 And lastly, revising applicable
7 sections to eliminate duplication and improve
8 readability.

9 CHAIR DANNER: Thank you very much.

10 And, Diane, do you want to second?

11 MS. BURMAN: Yes, I second that.

12 Thank you.

13 CHAIR DANNER: Okay. It has been
14 moved and seconded. I think we are ready for a
15 vote.

16 Cameron, do you want to take roll
17 call, or take a vote, record the vote?

18 MR. SATTERTHWAITTE: Yes, I will go
19 through the members and all you have to do is say
20 yes or no as I call your name in regards to this
21 vote.

22 Diane Burman?

1 MS. ROLLET GOSMAN: I am --

2 MR. SATTERTHWAITE: Oh, I am sorry.

3 MS. ROLLET GOSMAN: I am sorry. This
4 is Sara Gosman. I apologize for interrupting
5 without being called on. Can I just ask a quick
6 clarifying question before we vote because I
7 think it's --

8 CHAIR DANNER: Oh, sure.

9 (Simultaneous speaking.)

10 MS. ROLLET GOSMAN: -- the language is
11 not up there. It's on that last set of issues
12 around notification, so the bullet point with the
13 manual valves in non-HCA class 1 locations. As I
14 read this, notification is the process of
15 notification and no objection letter. Is that --
16 is everybody in agreement that that's what that
17 language means and that's what we are voting on?

18 MS. BURMAN: That is my understanding.

19 Alan?

20 MS. ROLLET GOSMAN: Okay. I just
21 wanted to be sure. Thank you.

22 CHAIR DANNER: Okay. Go ahead,

1 Cameron.

2 MR. SATTERTHWAITE: Okay. All right.
3 So if you agree with the language, just say yes
4 or no.

5 Diane Burman?

6 MS. BURMAN: Yes.

7 MR. SATTERTHWAITE: Peter Chace?

8 MR. CHACE: Yes.

9 MR. SATTERTHWAITE: David Danner?

10 CHAIR DANNER: Yes.

11 MR. SATTERTHWAITE: Sara Longan?

12 MS. LONGAN: Yes.

13 MR. SATTERTHWAITE: Ron Bradley?

14 MR. BRADLEY: Yes.

15 MR. SATTERTHWAITE: Andy Drake?

16 MR. DRAKE: Yes.

17 MR. SATTERTHWAITE: Mary Palkovich?

18 MS. PALKOVICH: Yes.

19 MR. SATTERTHWAITE: Rich Worsinger?

20 MR. WORSINGER: Yes.

21 MR. SATTERTHWAITE: Chad Zamarin?

22 MR. ZAMARIN: Yes.

1 MR. SATTERTHWAITE: Jonathan Airey?

2 MR. AIREY: Yes.

3 MR. SATTERTHWAITE: Sara Gosman?

4 MS. ROLLET GOSMAN: Yes.

5 MR. SATTERTHWAITE: And Robert Hill?

6 MR. HILL: Yes.

7 CHAIR DANNER: All right. Is that
8 everybody?

9 (No audible response.)

10 CHAIR DANNER: All right. Then it is
11 unanimous. Thank you, all.

12 I am going to turn it over to Alan.

13 I think we might need to take a break at this
14 point. How long do you want us to break for?

15 MR. MAYBERRY: I am going to turn it
16 over to John. He'll give some -- a suggestion on
17 that here.

18 MR. GALE: Yes, Chairman. Thank you.
19 And with the challenges we have and the IT issues
20 and the amount of issues we are trying to get
21 through, we also have an issue where we are
22 losing some members for certain periods of time.

1 And so we are trying to juggle the lunch breaks
2 around that.

3 So I am actually going to recommend,
4 if you'd bear with us, is that we allow Mr.
5 Nanney to go through the slides. I think it's
6 roughly -- it's less than -- it's roughly 20
7 slides on the next topic. We'll take public
8 comment on that issue and then break for lunch.
9 And then when we come back from lunch, we'll then
10 begin the dialogue with the members on that
11 issue. I just think it's best in terms of the
12 schedules and the different issues we are dealing
13 with right now.

14 CHAIR DANNER: All right. If there's
15 no objection from the members, we'll proceed that
16 way. So, yeah, why don't we go ahead?

17 MR. GALE: Mr. Nanney, that would be
18 back to you, sir.

19 MR. NANNEY: Are we at the right
20 slide? What was 47?

21 MR. GALE: Forty-seven was vote,
22 Steve.

1 MR. NANNEY: Okay. The next -- okay.
2 Now we'll go to rupture mitigation valves.

3 PHMSA proposed to require ASVs, RCVs
4 or equivalent technology on newly constructed or
5 entirely replaced pipelines greater than or equal
6 to six inches in diameter.

7 We also specified requirements for
8 valve shutoff capability methods, monitoring and
9 operation capabilities and monitoring shutoff
10 valve status.

11 No. 3, we provided the means of -- for
12 notifying PHMSA of the use of manual valves or
13 other technology.

14 Whoever has the voice on, I am getting
15 an echo back.

16 Modify IM requirements to provide for
17 the additional protection of HCA pipeline
18 segments to assure the timely termination and
19 mitigation of rupture events by complying with
20 the design, operation, testing, maintenance and
21 rupture mitigation requirements in 192.615(a)(6),
22 192.634 and 192.745, and implement new

1 construction and replacement requirements 12
2 months following the effective date.

3 Slide 49, please. Some public
4 comments that we got on this was reorganize the
5 valve requirements. In other words, consider a
6 section for new construction and a section for
7 pipe replacement. Minimize the cross-references
8 and duplication between sections. Clarify
9 apparently conflicting requirements created
10 across references. And create scope statements
11 in rule sections to simplify and clarify
12 applicability.

13 PHMSA response: PHMSA will consider
14 these comments to improve understanding and
15 readability of the final rule.

16 Slide 50, please. Some other public
17 comments, general, on PHMSA notification.
18 Streamline notification in accordance with
19 192.18. Clarify notification process and
20 information required by PHMSA or other technology
21 requests within 192.179 for applicability.
22 Pipeline Safety Trust requests that PHMSA clarify

1 criteria or standards needed to justify other
2 technology determinations and equivalent level of
3 safety for notifications. And lastly, clarify
4 the 90-day notification period, but no objection
5 assumption at 91 days.

6 PHMSA response: PHMSA will consider
7 these comments to improve the understanding and
8 readability of the final rule. PHMSA will
9 incorporate 192.18 into the final rule where
10 appropriate.

11 Slide 51, please. Other public
12 comments received is provide additional
13 definition or further clarification of the term
14 shutoff segment and rupture mitigation valve and
15 use them consistently throughout. One operator
16 recommended consolidating terms associated with
17 rupture mitigation valves and valve shutoff
18 methods.

19 The PHMSA response would be PHMSA will
20 consider these comments to improve understanding
21 and readability of the final rule.

22 Other general comments we -- slide 53.

1 Commenters requested that PHMSA exempt low-stress
2 pipelines. In other words, if they have an MAOP
3 below 30-percent SMYS based on this threshold
4 being a generally accepted indicator of when a
5 pipeline will generally experience a rupture
6 rather than a leak.

7 PHMSA response: Pipelines operating
8 below 30-percent SMYS have ruptured in the past
9 and it's not a guarantee that the pipe cannot
10 rupture.

11 Slide 53. Some other general comments
12 is the associations requested that PHMSA exempt
13 pipelines with a potential impact radius less
14 than 150 feet. Pipeline diameter alone is not an
15 accurate indicator of the potential consequences
16 of a pipeline rupture based upon many 6-inch, 8-
17 inch, 10-inch and even 12-inch pipelines operate
18 at low pressure such that the impact of a
19 pipeline rupture would be minimal.

20 The PIR reflects both pipeline size
21 and operating pressure and is therefore a better
22 measure of potential consequence than diameter

1 alone. The recently published MAOP
2 reconfirmation rule used a PIR of less than or
3 equal to 150 feet to establish less stringent
4 requirements for MAOP reconfirmation and pressure
5 reductions.

6 Slide 54. The PHMSA response: PHMSA
7 notes that even though the MAOP reconfirmation
8 rule has less stringent requirements for
9 pipelines with a PIR of less than or equal to 150
10 feet, those pipelines were not completely
11 exempted. PHMSA believes that all applicable
12 transmission pipelines regardless of PIR should
13 have rupture mitigation valves capable of
14 promptly closing to isolate a rupture.

15 Slide 55. Some other comments.
16 Commenters requested a broad exemption for class
17 1 and 2 locations.

18 PHMSA response: PHMSA intended that the
19 proposed rule apply to all new and entirely
20 replaced pipelines in the specified locations and
21 the exemptions requested by commenters would not
22 support the goal of this rulemaking. PHMSA notes

1 that 192.634(a) and (b) would not apply to new
2 and entirely replaced pipelines in class 1 or 2
3 locations outside HCAs, but 192.179 and 192.610
4 would apply to all new and entirely replaced
5 pipelines.

6 Slide 56. Some other general comments
7 were commenters requested that PHMSA consider
8 whether it is appropriate to include gathering,
9 and if so, whether it should apply to type A,
10 type B, or both. And industry trade
11 organizations commented that Section 4 of the
12 2011 Act is limited to transmission pipelines
13 only and gathering line should be exempted.

14 PHMSA response: PHMSA intended that
15 the proposed rule apply to type A gas gathering
16 pipelines, not type B. PHMSA will clarify the
17 applicability to gas gathering lines in the final
18 rule.

19 Slide 57. Some other public comments
20 on the replaced segment. PHMSA should clarify
21 that operators are not required to install new
22 valves when replacing less than two miles of pipe

1 with the exception of replacements covered by
2 192.610. Also clarify the term entirely
3 replaced. Does a two-mile replacement segment
4 mean valves are required for the entire pipeline
5 or just the two-mile replaced segment?

6 Clarify in 192.179 that maintenance
7 and integrity management replacements less than
8 two miles not due to a class change under 192.610
9 do not require new or upgraded rupture mitigation
10 valves.

11 Multiple public commenters request to
12 reduce the length to include pipe replacement
13 greater than one mile sections.

14 Public comment continued on slide 58,
15 please. Pipeline Safety Trust requested that
16 PHMSA reduce applicable pipe replacement length
17 from two miles to 600 feet of pipe being replaced
18 within 1,000 continuous feet.

19 PHMSA response: PHMSA's intent was to
20 not require addition of valves for small
21 maintenance replacements such as road crossings.
22 PHMSA will consider the comments to improve

1 understanding and readability of the final rule
2 with respect to replacement length two miles or
3 more.

4 PHMSA notes that planning multiple
5 replacement segments in less than two-mile
6 increments in order to circumvent this
7 requirement does not meet the intent of the
8 proposed rule. PHMSA would be receptive to
9 adopting regulatory language to clarify that the
10 rule would apply to multiple replacements that in
11 aggregate exceed two miles within five contiguous
12 miles. And we would also be open to a time limit
13 such as two years.

14 Slide 59. Some other comments we got
15 on valve technology is modify 192.634(b) to allow
16 the use of additional technologies and practice.
17 Expand the list of approved technologies to
18 include manual valves. In other words, if
19 they're normally closed and locked at crossovers;
20 and in the procedures that they do that, check
21 valves on the downstream end of a shutoff
22 segment, check valves at laterals and locally

1 actuated automatic shutoff valves.

2 PHMSA response: A valve on crossover
3 piping that is locked and tagged closed in
4 accordance with the operating procedures would
5 qualify as a rupture mitigation valve. PHMSA
6 would revise the final rule accordingly. For
7 other types of valves such as check valves on
8 laterals PHMSA has already included a mechanism
9 for other technology notifications and will
10 consider each of these on a case-by-case basis.

11 Slide 60. Additional public comments.
12 The NTSB requested additional restrictions on the
13 use of manual valves including PHMSA notification
14 for technical, safety and feasibility evaluation.
15 Also Pipeline Safety Trust requests to clarify
16 what criteria would be needed to justify the use
17 of manual valves based upon economically,
18 technically or operational infeasible with
19 emphasis on economically infeasible.

20 PHMSA response: PHMSA will consider
21 factors such as closure time, reliability,
22 adequate access to communications and power,

1 terrain, population density when reviewing
2 notifications from operators using a manual
3 valve.

4 Slide 61. Integrity management. Some
5 public comments there. In 192.935(c)(1) and (2)
6 should be deleted since they restate the same
7 requirements from 192.634 and are duplicate.
8 192.935(c)(3) should be deleted because the
9 requirement is already partially addressed by
10 investigations required by 192.617. Simplify by
11 using rupture mitigation valve terminology rather
12 than ASV or RCV. Simplify by requiring that ASVs
13 and RCVs must meet applicable section of Part 192
14 for rupture mitigation valves instead of
15 repeating the requirements.

16 PHMSA response: PHMSA will take these
17 comments into consideration to improve
18 understanding and readability of the final rule.

19 Page 63. Slide 63, please.
20 Implementation period public comments. Change
21 the implementation period for new construction to
22 24 months from 12. Change the time frame to

1 activate rupture mitigation valves after
2 completion of construction from 7 days to 14
3 days. Some commenters asked that the requirement
4 be deleted.

5 Somebody has their speaker on. Please
6 mute your phone. Please.

7 PHMSA response: PHMSA notes that the
8 effective date of the rule would be six months
9 after being published and believes that a 12-
10 month implementation period after the effective
11 date is adequate. In other words, we expect it
12 to be at least 18 months, anyway.

13 PHMSA believes that prompt activation
14 of rupture mitigation valves is essential to
15 pipeline safety, but that 14 days for activating
16 rupture mitigation valves would be sufficient.

17 Slide 64. Again this concludes the
18 PHMSA response to comments on the general topics
19 related to rupture mitigation valves. And in
20 light of these comments received on the notice of
21 proposed rulemaking PHMSA recommends that the
22 Committee consider the following:

1 No. 1, incorporating the reporting
2 requirements of 192.18 into the final rule;
3 that's the notifications to PHMSA. Specifying
4 that the proposed rule would not apply to type B
5 gas gathering pipelines. Three, revising the
6 final rule to designate a valve of crossover
7 piping that is locked and tagged closed in
8 accordance with operating procedures as a rupture
9 mitigation valve. Four, revising the final rule
10 to address applicability to multiple replacements
11 that in the aggregate exceed two miles within
12 five contiguous miles. Adding specificity on
13 standards from PHMSA review of other technology
14 and manual valve notifications. And lastly,
15 changing the time frame to activate rupture
16 mitigation valves after completion of
17 construction from 7 days to 14 days.

18 Next slide, please. Now, Chairman
19 Danner, I'll turn it back over to you for public
20 comments.

21 CHAIR DANNER: All right. Thank you
22 very much and thank you for the presentation.

1 Let's turn to public comment now. Can
2 -- John, you want to take it from there?

3 MR. SATTERTHWAITE: This is Cameron.
4 Can you hear me, David?

5 CHAIR DANNER: Yes, I can.

6 MR. SATTERTHWAITE: Okay. So,
7 Moderator Paul?

8 OPERATOR: Yes.

9 MR. SATTERTHWAITE: We are going to do
10 what we did before. We'll open up the floor for
11 comments. If you could provide instructions
12 again to the participants so that they can open
13 their lines and be recognized.

14 OPERATOR: Very good. For public
15 comment please press 1, then 0 on your telephone
16 keypad and the operator will get your name and
17 your company. If using a speakerphone, please
18 pick up the handset before pressing the numbers.
19 Once again, it's 1, then 0 at this time for
20 public comment.

21 And we have a follow-up from the line
22 of Patrick Carey of Kinder Morgan.

1 Please go ahead.

2 MR. CAREY: Good afternoon. This is
3 Patrick Carey. I just wanted to -- from -- with
4 Kinder Morgan. I did want to add my support to
5 the clarification that Steve had offered in the
6 changes to the length of the change-outs, the two
7 miles in five miles contiguous. And further that
8 that would be specified with some type of a time
9 frame. Tying that time frame to our budget
10 cycles will help to provide a scope that's clear
11 and give us some definition of a project as we go
12 into the budge cycle. And that concludes my
13 comment. Thank you.

14 OPERATOR: Thank you. Then again from
15 GPA Midstream, Keith Coyle.

16 Your line is open.

17 MR. COYLE: Hi. Good afternoon. This
18 is Keith Coyle with GPA Midstream. We wanted to
19 comment to oppose applying the rupture mitigation
20 valve requirements to gathering lines, and we
21 have a couple of concerns. The first is that the
22 two mandates that we are dealing with; Section 4

1 and Section 8 of the 2011 Act, neither of those
2 mandates apply specifically to gathering lines.
3 Section 4 is specific for transmission lines.
4 Section 8 is specific for hazard or liquid
5 pipelines.

6 And we also wanted to note that
7 there's really no indication in the record that's
8 been developed at this point that adequate
9 consideration has been given to applying the
10 rules to gathering lines. There was no
11 discussion of gathering lines in the NPRM or in
12 the regulatory impact analysis that was
13 developed. None of the NTSB recommendations that
14 are cited apply specifically to gathering lines.
15 There was no discussion of gathering lines in the
16 2012 study that Oak Ridge prepared.

17 So that's our primary concern at this
18 point. We are at a process where the GPAC is
19 considering a recommendation to vote on applying
20 these rules to gathering and we don't think
21 there's really been adequate consideration of the
22 legal authority or the potential impacts on this

1 sector of the industry. Thank you.

2 OPERATOR: Thank you.

3 Then next we'll move to NiSource and
4 the line of Michael Hunter.

5 Please go ahead.

6 MR. HUNTER: Yes, my name is Michael
7 Hunter. I am with NiSource. I just wanted to
8 revisit and request for the exemption for
9 pipelines operating below 30 percent SMYS. PHMSA
10 responded that -- stating that there's been
11 evidence that pipelines operating below 30
12 percent have failed, be it rupture. But our
13 knowledge that those pipelines had experienced
14 brittle behavior and low-fractional toughness,
15 which there shouldn't be an issue if we are
16 talking about new pipeline, which is what this
17 rule is covering. So either new pipelines or
18 pipelines with PVC material properties we are
19 requesting would be exempt.

20 OPERATOR: Thank you.

21 Then next from National Grid, Adele
22 DiBiasio.

1 Please go ahead.

2 MS. DIBIASIO: Thank you. We request
3 that PHMSA reconsider the 12-month implementation
4 date and allow 24 months from the effective date
5 of the final rule to comply with the automated
6 valve requirements. And this is to account for
7 existing in-site projects and a time required for
8 procurement, design and possible redesign of
9 projects, modifications to SCADA, permitting and
10 other constraints including budgetary. And this
11 is especially a concern for operators such as
12 National Grid that operate in a predominantly
13 class 3, 4 HCA locality considering we are
14 replacing pipelines currently for our MAOP
15 reconfirmation.

16 Additionally, Section 192.935(c)(2),
17 which is -- we recognize is -- the paragraph has
18 been recommended to be deleted, but in case it is
19 not, it currently requires operators to do a risk
20 analysis within one year of the effective date,
21 and then also install valves in accordance with
22 192.934, which also requires a one-year

1 implementation date. So again, we request that
2 it be changed back to the 24 months. Thank you.

3 OPERATOR: Thank you.

4 Then next we go back to Enbridge and
5 the line of Nick Kivela.

6 Please go ahead.

7 MR. KIVELA: Hi, this is Rick Kivela
8 with Enbridge. PHMSA noted in one of the slides
9 that they would consider the use of check valves
10 as rupture mitigation valves for lateral lines,
11 but only if a notification of use of alternate
12 technology is submitted in each instance. I
13 think that's a rather over-burdensome
14 requirement.

15 Check valves have been used for many
16 decades to protect pipelines and infrastructure,
17 and a check valve will automatically close if the
18 flow of a gas starts reversing without the need
19 for technology or operator intervention. They
20 just automatically close if the flow reverses.
21 So you could consider these to be an ASV. In
22 addition to that, they will likely close more

1 quickly than any other type of shutdown valve
2 would just because they sense a flow in the
3 reverse direction that may be indicating a
4 rupture.

5 So I would encourage PHMSA to consider
6 the use of check valves as an alternate -- or I
7 am sorry as a rupture mitigation valve but
8 without the need to notify as an alternate
9 technology. Thanks for your consideration.

10 OPERATOR: Thank you.

11 Then for additional public comment
12 please press 1, then 0 at this time.

13 And we go back to the line of Tracy
14 Pugh.

15 Please identify your company.

16 MS. PUGH: Theresa Pugh. I am not
17 speaking for a client. I just wanted to say that
18 I thought the gentleman's description of check
19 valves was very interesting. It was something
20 that I was not sufficiently familiar with. And
21 so any types of technologies, old or new, that
22 may be helpful I would encourage.

1 And I wanted to follow up with
2 appropriate respect on the gathering line
3 question. I think the gentleman that publicly
4 commented about gathering lines -- perhaps he is
5 correct that there is not yet enough evidence for
6 all gathering lines to be covered, but I think
7 there are some gathering lines that are
8 functioning at a much higher pressure level and
9 volume, and particularly those pipelines that are
10 11 -- I believe it's 11 inches. Perhaps some of
11 those gathering lines are functioning in
12 sufficient capacity and have had some failures
13 that those might merit. Again, these are my own
14 views, not of my -- the clients that I referred
15 to earlier.

16 That doesn't mean that all gathering
17 lines perhaps have to be covered, but certainly
18 the larger ones. Thank you.

19 OPERATOR: Thank you.

20 Then at this time there's no one else
21 in the comment queue.

22 CHAIR DANNER: All right. Thank you

1 very much.

2 Let me make a last call then. If
3 there's any member of the public who wishes to
4 comment, this is your chance.

5 OPERATOR: And you may do so by
6 pressing 1, then 0 at this time.

7 (No audible response.)

8 OPERATOR: There are no additional
9 questions at this time.

10 CHAIR DANNER: All right. Thank you,
11 Paul.

12 So let me ask, Alan, what is the --
13 what is your preference? Should we keep going
14 with the Committee discussion or is this the
15 break time?

16 MR. MAYBERRY: We are anticipating
17 this will be the break time. We could say
18 reconvene at 2:45, if that works. Eastern Time,
19 that is.

20 CHAIR DANNER: Yes, that is fine with
21 me. I am trying to translate a specific time
22 here.

1 MR. MAYBERRY: Okay. Sorry.

2 CHAIR DANNER: All right. So we will
3 take a break until 45 after the hour and then we
4 will resume immediately. So everyone come back
5 at quarter till. So with that we are in recess.

6 OPERATOR: Thank you. Speakers,
7 remember your lines are open, so please mute
8 before going onto break.

9 (Whereupon, the above-entitled matter
10 went off the record at 2:10 p.m. and resumed at
11 2:47 p.m.)

12 MR. MAYBERRY: Chairman Danner, I
13 think on the PHMSA side we had some points that
14 we would like to bring up. And I would turn it
15 over to John Gale for that, just in follow-up to
16 what we've heard so far.

17 CHAIR DANNER: That would be great.
18 So let's do that.

19 MR. MAYBERRY: Okay.

20 MR. GALE: Thank you, Chairman, and
21 thank you, members, for that short lunch break.
22 I am looking at my IT guy and asking why I was

1 getting a bit of an echo. Most of the folks in
2 my office have to carry about ten different hats
3 to get us through every day so.

4 So, Chairman and members, we've heard
5 the comments that have been raised and some of
6 the concerns that have been raised. And we just
7 would like to present some options to you to
8 consider and obviously discuss related to the
9 issues that have been raised on 30 percent SMYS
10 and gathering. And we've heard the comments, of
11 course.

12 We think our proposal addresses those
13 issues from a risk perspective. And we have some
14 slides to show you, some additional slides, some
15 new slides to get into this issue a little more.
16 And Steve Nanney will go over those. But we are
17 recommending that the committee consider, and
18 obviously we would support, is that an exception
19 be provided for all gas transmission lines that
20 have what's called a potential impact radius, or
21 PIR, of 150 feet or less.

22 We would also recommend that we

1 provide an exception for all Type A gathering
2 greater than 12 inches in diameter. We estimate,
3 in our estimate on the impacts, the overall
4 impacts on gathering. We are dealing with
5 probably less than 200 foot of pipe per year
6 that's installed. We think this exception
7 addresses the risks associated with that diameter
8 coming from the shale plates, that it's coming at
9 higher diameters and higher pressures and
10 therefore higher risk, while also making sure
11 that the rule is commensurate with the costs and
12 the benefits.

13 So, again, the recommendation would be
14 is that an exception be provided for those lines
15 that have a PIR of 150 foot or less, and Steve
16 will get into the whys in a minute, and that the
17 Type A gathering be provided an exception for any
18 line greater than 12 inches in diameter. So with
19 that, I'd like to turn it over to Mr. Nanney,
20 Chairman.

21 CHAIR DANNER: Go ahead, Steve.

22 MR. NANNEY: Can you go ahead and show

1 the first slide, please? Can we go back to slide
2 5 on our backup deck? Slide 5, please.

3 CHAIR DANNER: Steve, we are seeing
4 slide 5 on our end.

5 MR. NANNEY: Oh, you are? Let me
6 escape -- oh, okay. I am sorry, my computer had
7 gotten hung up.

8 Okay, slide 5, what we were wanting to
9 do is just give everybody an idea when we say a
10 potential impact radius of 150 feet or less, what
11 we are saying. And if you look at the shaded
12 part at the top, we've got the nominal pipe
13 diameter in inches. You can see it goes from 4
14 inches over to 36 inches. And you can see the
15 MAOP going from top to bottom from 50 pounds up
16 to 1400 pounds. And the shaded part would be
17 basically giving you an idea of where the 150
18 foot criteria would break as far as MAOP.

19 If you look at the top, if it was a 30
20 inch, it would be 50 pounds. Going on over, if
21 you were looking at a 16 inch, it would be
22 somewhere around 180 pounds MAOP. If you get on

1 over to 12 inch, you can see it would be
2 somewhere around 330 pounds MAOP. Ten inch for
3 150 feet would be about 450 pounds. An 8 inch
4 would be about 720 pounds, would be a PIR of 150.
5 Six inch, it would be up to about 1300 MAOP.
6 Anyway, this is to give you an idea there.

7 Going to the next slide, please.

8 Again, this is what we earlier had gone through
9 that based upon 6 inches and greater, what we had
10 seen as far as new and replaced gas pipelines
11 between 2015 and 2019, you can see here Class 1,
12 2, 3, and 4, and all of it would be about 215
13 valves per year.

14 Going on down, the other item that we
15 didn't talk about previously is that we are
16 seeing about 75 percent of the valves already
17 being RCV valves, so we think of this is -- of
18 the 215, about 54 valves would need modification
19 for rule compliance.

20 Slide 7, please. Slide 7, please. Is
21 my computer not working?

22 Okay, slide 7 is to give you where we

1 were showing all valves installed in that period
2 being 215 valves. If we considered like we heard
3 someone say from the public earlier, greater than
4 or equal to 30 percent SMYS, we had looked
5 between 2015 to 2019. That 215 valves that I
6 talked about in the earlier slide would go down
7 to about 183 valves would be what we would be
8 looking at per year.

9 Next slide, slide 8, please. If we
10 raise the equal to or greater than 6-inch
11 diameter up to 10 inches greater than 10-inch
12 valves, that would make the number of valves go
13 to 160. Again, this is just giving a comparison
14 for the committee to see is how the number of
15 valves installed each year would change.

16 Next slide, going to slide 9, please.
17 This is again giving a 10 and 3 quarter greater
18 than equal to 30 percent SMYS. And again, if we
19 did greater than 10 inch, greater than 30
20 percent, we would be looking at 137 valves.

21 Slide 10, please. Slide 10 is set up
22 for greater than 12 and 3 quarters. And again,

1 if we raised it and did not have the percent
2 SMYS, but just raised it to 12 and 3 quarters, we
3 would be looking at 140 valves per year.

4 Next slide. Again, on the 12 and 3
5 quarters, if we raised the SMYS up to equal to or
6 greater than 30 percent, the 137 would go down to
7 119 valves.

8 So anyway, we just wanted to give the
9 committee an idea as you change these, what you
10 would be seeing, so that when you have further
11 discussions you know what the impact is.

12 Chairman Danner, that's all the slides
13 I wanted to review.

14 CHAIR DANNER: All right, thank you.
15 Let's then turn to our committee discussion.
16 Anybody want to raise your hand and respond to
17 the comments that we've heard and the compromises
18 being proposed by PHMSA?

19 All right, Pete Chace? Pete, I think
20 you are on mute.

21 Okay, I am not hearing Pete. Chad, do
22 you want to go ahead, and then we'll turn back to

1 Pete?

2 MR. ZAMARIN: I can. I don't think I
3 had my hand raised.

4 CHAIR DANNER: Oh, you didn't. Okay,
5 sorry.

6 MR. ZAMARIN: But I do -- this is Chad
7 Zamarin with Williams. I was going to raise my
8 hand, so maybe you were just -- you were reading
9 my mind.

10 I would just say not having had a ton
11 of time coming after lunch to kind of go through
12 the details here, my quick reaction is that I
13 think what was just presented makes a lot of
14 sense, may need a little more time to digest, but
15 seems to make good sense.

16 CHAIR DANNER: Okay, I think we are
17 all sort of digesting this for the first time, so
18 I think I understand the silence.

19 Pete, are you back?

20 OPERATOR: The line is not labeled, so
21 if Pete dialed back in, he dialed in on the
22 participant line and would need to identify his

1 line using the *0 command.

2 CHAIR DANNER: Okay, while we are
3 waiting for Pete, Sara?

4 MS. ROLLET GOSMAN: Yes, thank you.
5 Okay, so I am also just trying to digest here on
6 the slide.

7 So what happens if the PIR changes?
8 So because there -- the operating pressure
9 increases or on the consequence side, more
10 buildings are built around a particular pipeline.
11 We suddenly start to see those buildings then are
12 near that 150 feet under this exception in the
13 rule.

14 CHAIR DANNER: PHMSA staff, do you
15 want to -- could you take a shot talking about
16 the possibility of a PIR of a line changing over
17 time?

18 Steve Nanney, did you hear me, sir?

19 MR. NANNEY: No, I didn't hear.

20 CHAIR DANNER: I am sorry. Could you
21 possibly address the issue that Ms. Gosman raised
22 regarding the possibility of a PIR of a line

1 changing?

2 MR. NANNEY: Well, if you set up a
3 line with an MAOP, normally you don't see the
4 MAOP pipelines change very often by just simply
5 because when they're designed, they're designed
6 normally based upon class location and what the
7 MAOP is as far as putting in the wall thickness
8 and strength of pipe. You know, for the PIR to
9 change, normally it would take putting in new
10 pipe.

11 MS. ROLLET GOSMAN: Okay, thank you.

12 MR. NANNEY: Am I answering your
13 question? I didn't quite understand your
14 question to begin with.

15 MS. ROLLET GOSMAN: Yes, thank you.
16 I am sorry, I am probably not using the correct
17 terminology.

18 So I guess my -- maybe I can frame it
19 as a concern, right? My concern is if we are
20 trying to get at that set of pipelines that have
21 minimal consequence in the event of a rupture,
22 we've decided that that class of pipeline, that

1 category of pipelines is those with a PIR equal
2 to or less than 150 feet.

3 I am wondering if you see any
4 possibility that in the future those pipelines
5 might create more consequence in the event of a
6 rupture? Or do you think that they would have
7 the same risk, not meaning just probability, but
8 also consequence over time?

9 MR. NANNEY: Well, you could always
10 have more buildings built closer to the pipeline
11 to where there would be more consequences. But
12 normally, like what one of the public commenters
13 said is normally this pipe is going to be
14 smaller. Normally, it's going to be new pipe
15 with toughness and other properties that it's
16 probably going to be less likely to be an issue.
17 That being said, you can't say it will never
18 build up. But the other part of it is like on
19 your class locations of determining Class 1, 2,
20 3, 4. We are looking at 660 there in determining
21 the class locations where when we are limiting
22 this to this to the 150 feet, we aren't

1 penalizing some of the smaller lines for the
2 class location count. So that's one reason why
3 we thought this was a -- should be an acceptable
4 alternative of some of the comments that we've
5 heard.

6 OPERATOR: And Peter Chace's line is
7 open.

8 CHAIR DANNER: All right.

9 MR. CHACE: Yes, can you hear me now?

10 CHAIR DANNER: Yeah. Go ahead, Pete.

11 MR. CHACE: Okay, yeah, sorry. I must
12 have just dialed in on the wrong line. A couple
13 of thoughts. I wanted to talk briefly about, I
14 guess, the Type A gathering. First off, I think
15 a consensus among NAPSR is as far as when you are
16 looking at rupture mitigation I am not sure what
17 the difference would be between the Type A
18 gathering and a transmission line. The fireball
19 is going to look the same for similar types of
20 pipes. So we support the addition of Type A into
21 this rule.

22 As a practical matter though, you look

1 at Type A gathering and you have regulations
2 associated when you get into a class scenario.
3 And all I can really speak for is Ohio, but I'd
4 be hard pressed to come up with a five mile
5 contiguous, say, stretch of Type A gathering
6 lines. It's all kind of intermittent and you'll
7 have little sections of it (telephonic
8 interference) location and then most of it is
9 down class one.

10 So I think as a practical effect, very
11 little Type A gathering would actually be
12 affected by the rule. I wonder if there's been
13 any consideration of that or just thoughts on the
14 implication (telephonic interference) other than
15 to point out I think very little Type A would
16 actually be affected.

17 As far as the 150 foot PIR, I mean
18 dealing with interstate systems in Ohio with the
19 transmission solely because it's by a single high
20 volume customer. I can point you, for example,
21 of a handful of class systems with a six-inch
22 plastic line operating at about 30 pounds where

1 the gas may be 850 BTU. I think we calculated it
2 out at PIR 24 feet or something like that.

3 I think the way this rule is written
4 would cover that landfill gas system and to me, I
5 think it would be a shame to devote enforcement
6 and inspection resources to infrastructure like
7 that.

8 So I understand what you are saying,
9 but there are some extreme examples where quite
10 frankly I think it seems a little ridiculous to
11 have rupture mitigation valves associated with
12 them. That's all I had.

13 CHAIR DANNER: All right, thank you.
14 So, Chad -- or I am sorry, Ron Bradley.

15 MR. BRADLEY: Thank you, Chair. Ron
16 Bradley from PECO. I am a little bit with
17 everybody else coming back off of lunch, so just
18 a few things that stick out to me in this
19 segment.

20 I am okay with much of the language.
21 I am okay with the adjustment to talk about
22 replacements in the aggregate exceeding two miles

1 within five contiguous miles. I am okay with
2 that.

3 I am drawn to the public presenter
4 from NiSource. I think it was Michael Hunter,
5 who asked us to revisit the less than 30 percent
6 SMYS. So I really appreciate some of the early
7 numbers as we went through those. I think it was
8 on one of the pages that we were sharing that for
9 pipelines greater than or equal to 6 inches, the
10 study of 2015 to 2019 revealed possibly 215
11 valves installed. But if you took out the
12 segments that are operating at or less than 30
13 percent SMYS, it would have been 183.

14 I mean when I think about that, I
15 guess you could take two different perspectives.
16 One is you could almost argue that it's not a lot
17 or you could argue that it is a lot. I think
18 capital to advance us on a risk-based perspective
19 is precious, and I think focusing it on the
20 segments that represent risk is where we should
21 go. So even if it's one or two fewer, I don't --
22 you know, it's that's tough to mandate taking an

1 action where there's not a bunch of risk,
2 especially for new construction like this. So
3 specifically, it would be good if we would
4 revisit, as asked, the segments of pipe that have
5 less than 30 percent SMYS.

6 I don't know if we are talking about
7 it in this case, but I know we were talking about
8 -- someone was also referencing extending the
9 time to make this effective from 12 months to 24
10 months, and I tend to think the same way. We
11 generally lay our capital projects out at the
12 minimal 12 months in advance. We prep to buy
13 material. We prep to get permits. And in a
14 world where -- you know, I operate a number of
15 companies in Class 3 and Class 4 locations as
16 well, and permitting isn't the easiest thing to
17 do, and getting set and having plans in place a
18 year out can be challenging.

19 I am encouraged by the report that
20 people are moving. I know as a utility we want
21 to minimize risk and that's where IMP helps us,
22 integrity management plan helps us, but I just

1 wanted to table -- or just at least throw a few
2 of those thoughts out for consideration. Thanks.

3 CHAIR DANNER: All right. Thank you,
4 Ron. Are there other comments or concerns with
5 the language that is in front of us?

6 Okay, so I do see a few hands. Sorry
7 about that.

8 Sara, Sara Gosman?

9 MS. ROLLET GOSMAN: Yes, I am sorry.
10 I had to turn myself off mute. So, Chair, just a
11 clarifying question for you. Are we opening this
12 up to the other sets of issues on the committee
13 voting side, or are we still focused on the PIR
14 and gathering lines question? Because I have
15 comments about the rest, but I certainly don't
16 want to delve into all of them if we are still
17 focused on those two issues that PHMSA has
18 raised.

19 CHAIR DANNER: Yeah, thanks. Why
20 don't we focus on those two first. Do you have
21 anything additional that you want to discuss on
22 those?

1 MS. ROLLET GOSMAN: Yeah, so again,
2 just trying to think on my feet here, I think if
3 there is the possibility that in say a Class 4
4 area that's built up, that we would have building
5 within that PIR, and there is a possibility,
6 however small, that there is a rupture, I think
7 that we should require those lines to have -- to
8 comply with the requirements around ASCs and
9 RCVs.

10 So I am wondering if there's some way
11 that we can tighten this up a little bit?

12 MR. GALE: Chair, John Gale here.
13 Would you recommend maybe just excluding those
14 lines within a Class 4 area?

15 MS. ROLLET GOSMAN: Yes, I think that
16 could address it.

17 MR. GALE: Okay, very good. And you
18 had another issue, ma'am?

19 MS. ROLLET GOSMAN: No, just to
20 support Pete Chace's comments on gathering lines.
21 And I guess I would say -- I mean, I think that -
22 - I understand the set of issues here around

1 gathering lines, but if they look and seem like
2 they have the same set of risk factors as do
3 transmission lines, then I think we should be,
4 again, including them within the valve
5 requirements.

6 MR. GALE: Very good. Chairman, if I
7 may, I'd like to address at least one issue. To
8 me, it's somewhat housekeeping in nature.

9 CHAIR DANNER: Yeah, go ahead. We --
10 (Simultaneous speaking.)

11 CHAIR DANNER: -- their hands up, but
12 go ahead.

13 MR. GALE: Okay, and that is the issue
14 of the effective date again. As Steve mentioned
15 in his slides earlier, and I think we are just
16 bouncing around different words, right? There's
17 a time period after effective date of the rule.
18 There's also a time period after the publication
19 date of the rule.

20 So if we sent around the publication
21 date of the rule, right, and the time period you
22 guys will need to comply based on when the rule

1 is published, right, we are all dancing around 24
2 months. So if the members like, I think we'd be
3 willing to change the language instead of based
4 on the effective date of the rule and base it off
5 the effective date of the rule, I mean the
6 publication date of the rule. And I think we'd
7 be willing to consider changing -- because right
8 now it's effectively 21 months. If members like
9 or agree, we would change it to an effective date
10 of 24 months after the publication date of the
11 rule. But I don't want to get too hung up on
12 that one too much.

13 CHAIR DANNER: So what you are saying
14 is right now essentially it's 21 months.

15 MR. GALE: It's 21 months, yes. And
16 I think the members maybe or at least some of the
17 operators maybe feel more comfortable if we base
18 the compliance date off of the publication date
19 and not the effective date which, you know, can
20 have variability, given different situations. I
21 thought I would just touch on that one first.

22 CHAIR DANNER: Ron, would that be

1 satisfactory?

2 MR. BRADLEY: Yes, I think -- this is
3 Ron Bradley from PECO. I think that gets to -- I
4 guess the math I am missing is the way it is
5 written the assumption is if it's 21, 9 minus
6 that is 12. Is that the belief that you assume
7 that in 12 months, this report comes out if we do
8 nothing and it's issued as a reg versus just
9 change -- I think you change the language. I'd
10 be okay with that.

11 CHAIR DANNER: All right, thank you.
12 Andy. Andy Drake are you there?

13 OPERATOR: Mr. Drake's line is
14 connected. It is in talk mode, so please unmute,
15 Mr. Drake.

16 MR. DRAKE: Can you hear me now?

17 CHAIR DANNER: Yes.

18 MR. DRAKE: This is Andy Drake with
19 Enbridge. Sorry, I hit the wrong mute button or
20 unmute button.

21 I had a couple of follow-up comments,
22 I think, one to Sara about the class change issue

1 you are talking about where buildings encroach
2 into the pipeline and there's an environment
3 change, there's a class change.

4 There's actually a section in the rule
5 where we talk about class changes and I think it
6 probably would be effective to deal with your
7 comment there, because I think that is a real
8 issue that I think we are trying to take into
9 consideration in the rule. And I think actually
10 looking at class change, how it moves, and what
11 we would do in response to it, is probably better
12 addressed in that section of the rule, just for
13 whatever that's worth. It's my opinion, but I
14 don't want to lose track of that thought. I
15 think it's relevant to this discussion as well.

16 I think that on the 18 month and 24
17 month, John, you raised a really good point. And
18 I think that's really important for us to
19 understand is there's 6 months between an
20 effective date and then 12 months on
21 implementation date. In essence, we are given 18
22 months, in essence, to try to respond to this

1 directional change. I think that in my opinion
2 that's reasonable and I am not too worried about
3 that.

4 Twenty-four months, maybe if we go a
5 little bit further, that's even better, but I
6 think 18 is doable. We, right now, can see that
7 just going this start to order these valves and
8 start to get in the position to do that.

9 If people are reading it as a total of
10 12, that's a little bit tight.

11 I think this is a matter of technical
12 record. I think -- I have a curiosity, if
13 nothing else, about the 30 percent issue. I
14 don't have a lot of pipes that operate in that
15 range, but I do think this rule is about
16 ruptures. And 30 percent has been a long-
17 standing differentiation with PHMSA on ruptures.
18 I think there were some notes earlier about that
19 there's been a history of pipes below 30 percent
20 rupturing.

21 I went back and looked at the data, I
22 think since 1990 there's been about 9 of these.

1 And almost all of them are coincident to another
2 event happening like land movement or outside
3 damage or (telephonic interference). That is a
4 little bit different animal. I think when we
5 start to look at the rule is constructed around
6 new pipe, leak rupture thresholds for new pipe
7 that operate at 30 percent SMYS is extremely
8 likely to be below the leak rupture threshold.

9 And I think we are starting -- I
10 started to ask just a fundamental question is
11 what are we fixing here? The new pipe that we
12 are putting in that's operating at less than 30
13 percent SMYS is widely predisposed to not
14 rupture, why are we -- what are we doing down
15 there? That is just an outsider's perspective
16 from a technical perspective.

17 I just wanted to try to flare those
18 things. I think we are going to get into this
19 discussion about two miles and five miles and
20 things like that in the next conversation if I
21 understand it. So I'll sort of save that comment
22 for a little bit later. But I did want to kind

1 of follow up on those three specific issues.

2 Thank you.

3 CHAIR DANNER: All right, thank you.

4 Chad Zamarin.

5 MR. ZAMARIN: Thank you. This is Chad
6 Zamarin with Williams. Just really two comments
7 to add to what's already been said. The first
8 one, I thought that one of the public comments
9 regarding check valves, I think, was an
10 appropriate comment. I wonder if it's not
11 already, I think, assumed that it would be
12 considered an automatic shutoff valve.

13 I think most folks understand what a
14 check valve is, but it's effectively a valve with
15 a flapper that's only open when pressure is
16 pushing against it and flow is pushing against
17 it. And if flow were to stop or in the event of
18 a rupture reverse, that flapper will
19 automatically close and automatically shut. So I
20 wonder if that would really require on an
21 individual valve by valve basis an approval or
22 notification of PHMSA through the other

1 technologies or can't we just all agree that a
2 check valve is installed? We design those to be
3 automatic closure valves and that's why they're
4 installed, so I wonder if that could be just
5 understood and clarified.

6 The other comment I'd make is I hear
7 all of the commentary around gathering lines, but
8 what I heard from the commenter that I think is
9 something important for us because I do think
10 following kind of the rule and following the
11 process is important, if this really is the first
12 time we've introduced gathering into the
13 conversation, I find that to be inappropriate. I
14 think we prepare for these rulemakings. We do
15 analysis. We do cost benefit studies. We try to
16 quantify the amount of pipeline that this would
17 impact.

18 I've just been trying to understand if
19 we had it on our radar that this would apply to
20 gathering lines. And my understanding is that
21 not until kind of this GPAC package was put
22 together did we have any reference to this

1 rulemaking affecting gathering lines. So I am
2 not opposed to having the discussion regarding
3 whether or not it makes sense to extend this to
4 gathering lines, but I am opposed to us just
5 jumping to that conversation without having gone
6 through the appropriate regulatory process. If
7 it wasn't in the NPRM, if it wasn't in the NPRM,
8 if we didn't have the opportunity to comment on
9 it and do the analysis that's required, we
10 shouldn't be considering it as part of this
11 rulemaking. It should be taken up as a separate
12 rulemaking process.

13 And so maybe it's also a question and
14 confirmation with PHMSA. I am hearing that this
15 is the first time gathering lines have been
16 included in the conversation. And if that is the
17 case, I would strongly recommend that we not
18 include that in this rulemaking because we
19 haven't gone through the right procedure in order
20 to do so. Thank you.

21 CHAIR DANNER: All right, thank you.
22 I mean I'll just weigh in on this I actually

1 think that I do not support an exception for Type
2 A gathering lines. I think that basically those
3 are essentially the same thing as transmission
4 lines and if it walks like a duck, let's
5 acknowledge that.

6 So I mean I think the idea that more
7 process is required, I am not convinced, but that
8 again, that's my own view.

9 So with that stated, Pete Chace.

10 MR. CHACE: This, yes this Pete. Can
11 you hear me?

12 CHAIR DANNER: Yes, I can.

13 MR. CHACE: Okay, great. I just
14 wanted to briefly comment. There's a few
15 commenters mentioned check valves and I guess
16 that I'll say that I know that check valves are
17 very effective in the liquid based systems. Gas
18 systems, quite frankly, I am ignorant about it.
19 I don't know if check valves are particularly
20 useful or advised for a gas system or not. Just
21 something to consider.

22 I know that check valves -- they have

1 good applications in liquid systems, gas systems,
2 (telephonic interference) recommend by my need to
3 know more.

4 CHAIR DANNER: All right. Thank you.
5 Is there anybody from PHMSA who wants to speak to
6 the check valves?

7 MR. NANNEY: I would just -- this is
8 Steve Nanney. I would have to agree with Pete.
9 We will have to look at check valves and see
10 under what circumstance you could or could not
11 use them.

12 One of the biggest lawsuits I've ever
13 been involved with had to do with check valves.

14 CHAIR DANNER: Okay. Thank you. Andy
15 Drake?

16 MR. DRAKE: This is Andy Drake with
17 Enbridge. I'd like to weigh in on the check
18 valves. We use check valves very routinely and
19 very successfully in gas applications. I think
20 they're particularly helpful in places with
21 lateral, where laterals are involved. They're
22 very effective at recognizing the reverse flow

1 direction of that pipe and very effective at
2 responding and closing. And if we are not going
3 to consider these, I think we have a bigger
4 question to ask inside the gas and transmission
5 industry, frankly, than whether these valves can
6 be used for emergency response. They are used
7 all the time for operational purposes.

8 CHAIR DANNER: All right, thank you.
9 Pete Chace?

10 MR. CHACE: I am here.

11 CHAIR DANNER: You have your hand up?

12 MR. CHACE: I am sorry. I never took
13 my hand down.

14 CHAIR DANNER: Okay, I thought you
15 were responding to what you heard on the check
16 valves.

17 MR. CHACE: No, no, I appreciate the
18 feedback.

19 CHAIR DANNER: Okay, I am not seeing
20 any other hands up right now, so we have a number
21 of issues before us. It sounds like we are okay
22 on the issue of the class change as PIR. We do

1 have the issue of what to do with Type A
2 gathering lines, the issue of check valves, and I
3 am not sure if we have resolved the issue with
4 the 12 to 24 or 21 months issue. So maybe we can
5 get a sense of where the committee is on that.

6 All right, Ron Bradley.

7 MR. BRADLEY: Yes, Ron Bradley, PECO.
8 I raised it earlier because you know, I
9 interpreted it as a flush 12 months. Here's the
10 rule. You've got 12 months, it's over.

11 But in listening to the review and the
12 discussion around hey, look, quite frankly, you
13 are at 19 now, you know. And generally, it's
14 minimally going to be 18 once the dust settles.
15 I don't have the same hang up.

16 The 12 flat out was a problem. I
17 think if the adjustment goes to 24, absolutely
18 can live with that and we are not going to drag
19 out heels on this. I just wanted to make sure we
20 had enough time to plan and effectively
21 implement, get the clearances, get the permits
22 and then effect the work. That was my push.

1 Thanks.

2 CHAIR DANNER: Thank you very much.
3 Any other discussion on these points of check
4 valves or gathering lines?

5 All right, Alan, I have to turn the
6 gavel over to you for about 45 minutes. I
7 apologize for that, but as we discussed I have
8 another commitment that I have to attend to. I
9 will be back. So I will ask you to take it from
10 here.

11 MR. MAYBERRY: Okay, thanks, Chairman
12 Danner.

13 John Airey put his hand up.

14 MR. AIREY: Hello. I'd like to weigh
15 in on the gathering suggestion. I think this is
16 a context that hasn't been considered for
17 gathering and I think Pete put it correctly, you
18 are going to get isolated pieces here and there
19 and the complexity of it strikes me as something
20 that doesn't need to come into this part of the
21 rulemaking, so I would exclude all gathering.

22 MR. MAYBERRY: Okay, thanks, Mr.

1 Airey.

2 Related to check valves, that would
3 suggest that we consider some general language,
4 having PHMSA look into that matter further and
5 we'll take appropriate action. So we'll have
6 something to that effect in the voting slides,
7 recognizing the point or the discussion raised
8 here.

9 Any issues with -- hold on. Sorry, I
10 am not seeing the hand raising, but Chad, I
11 recognize you.

12 MR. ZAMARIN: Thank you. Chad Zamarin
13 with Williams and thanks for that on the check
14 valves.

15 I did want one other clarification.
16 On the bullet above that, we talk about in the
17 aggregate pipe replacements that would exceed two
18 models within five contiguous miles. I think on
19 the slides there was also a time boundary that if
20 you make those replacements over -- having some
21 time bound to that. I think it was 24 months.
22 Can we just clarify that that time boundary will

1 be part of the rule, so it's clear there?

2 MR. MAYBERRY: Yes, Chad, we'll
3 clarify that. We are actually adding language to
4 it right now.

5 MR. ZAMARIN: Great. Thank you.

6 MR. MAYBERRY: Okay, moving on to the
7 issue of the 30 percent SMYS with Steve's
8 clarification, I guess now the proposal was to
9 keep having the provision for a PIR of 150 feet,
10 but another thought is if you are replacing the
11 whole segment that -- or if it's new
12 construction, obviously, that we would have the
13 break point for 30 percent SMYS. It's another
14 alternative.

15 Is there --

16 MR. BRADLEY: Mr. Bradley.

17 MR. MAYBERRY: Yes, go ahead. Mr.
18 Bradley, do you think if we were to revise the
19 language to include an exception for 30 percent
20 -- or Andy, as well, I think, for 30 percent SMYS
21 or less, where the whole segment is replaced
22 between valves and not just the 2 mile

1 replacement to ensure that it's newer pipe?

2 Mary, did you have a question?

3 MS. PALKOVICH: No, just agreeing that
4 if we have the less than 30 percent being
5 exempted because now it's replaced pipe, we
6 should be good. I am on board with that
7 thinking. I think that's what Ron was
8 referencing earlier as well.

9 MR. BRADLEY: Yes, Ron Bradley from
10 PECO. But I think what I am hearing the proposal
11 now be all inclusive, not segment. So for
12 example, I think what I am hearing the question
13 be is if I've got a transmission line in excess
14 of two miles and I replace all of it and it
15 operates under 30 percent SMYS, would it be
16 exempted? Is that the question?

17 MR. MAYBERRY: If you replace an
18 entire segment and new construction essentially.
19 But if you are replacing -- if it's a replacement
20 project and you are going valve to valve,
21 compressor station to compressor station or in
22 the case of an LVC, it would be an entire

1 segment, not just a small segment, but the entire
2 segment.

3 MR. BRADLEY: Alan, this is Ron, once
4 again from PECO. Alan, would it be okay that if
5 we did the criteria stated here, replace two
6 miles within five miles of contiguous pipe and
7 the subsequent MAOP for the pipe operated at 30
8 percent or less? That still gets us where we
9 want to be.

10 MR. MAYBERRY: As long as it's new
11 pipe.

12 MR. BRADLEY: Yes.

13 MR. MAYBERRY: Right.

14 MR. BRADLEY: Yes.

15 MR. MAYBERRY: Andy, okay. Andy
16 Drake, I see you have your hand up.

17 MR. DRAKE: I thought the language --
18 this is Andy Drake with Enbridge. Actually, I
19 thought the language that you were proposing was
20 pretty effective and I don't really have any of
21 these, but I think the question was just how do
22 you help kind of put some boundaries around this?

1 I thought the PIR did a lot there. I think that
2 some of the language you are talking about was
3 contiguous replacements may help. But I really
4 defer to the ABA guys.

5 I really had raised my hand, actually,
6 as we are going to start to talk a little bit
7 more about gathering. I'll just sort of hold off
8 until we get done with this conversation.

9 MR. MAYBERRY: Okay, let's wrap this
10 one up. For Ron and Mary, they're defining a
11 segment, a full segment, is that a challenge for
12 you? I am just trying to understand.

13 MR. BRADLEY: Yes, this is Ron Bradley
14 from PECO. So I'll describe what I am thinking.
15 So let's say we've got a five mile stretch of
16 transmission pipe that operates at 29 percent
17 SMYS. Let's just say we have that. We replace
18 two miles in that. It would be exempt from -- if
19 we replace it with brand-new pipe, two miles of
20 that with brand-new pipe, that transmission line
21 would be exempt from requiring valve
22 installation. We'd probably still design it in,

1 but it we would be exempt from requiring it since
2 it's not a rupture risk.

3 MS. PALKOVICH: And this is Mary with
4 Consumers and I am agreeing with Ron. So the
5 point, I think the word segment is a little bit
6 confusing because we are talking about two miles
7 and it's below 30 percent and there's a lot of
8 distribution companies that have that and we
9 would like that to be exempt because now it's a
10 new piece of pipe in there so I think the word
11 segment is a little bit problematic, Alan. If we
12 just say the two mile section, because a lot of
13 people call segment, the segment is defined in
14 your temp plan as either weld-to-weld or those
15 types of things. So I think if we just say a two
16 mile section or something like that and we get to
17 the part that's being made 30 percent, that is
18 what we are shooting for.

19 We don't want to have to put in a
20 valve in the middle of a two mile, lower than 30
21 percent when, in fact, two miles further down
22 there's a perfectly good valve there. And now

1 that piece has been replaced. So that's what we
2 are trying to accomplish.

3 MR. GALE: And Mary -- Ron, this is
4 John Gale. I think what our concern was we are
5 looking at those 30 percent SMYS areas where all
6 the pipe was replaced. In other words, the
7 segment from valve to valve was new pipe because
8 as folks have pointed out, the issues and
9 concerns related to 30 percent less SMYS in terms
10 of emission and/or rupture is probably tied to
11 older pipe. So if you replace two miles of pipe,
12 but there's still three miles of older pipe there
13 that still has that potential rupture, we are not
14 protecting that area.

15 So the exception that we are looking
16 at is not tied to the overall two mile
17 replacement for 30 percent SMYS, but it's where
18 you have a full replacement from valve to valve,
19 to be clear.

20 MS. PALKOVICH: Understood, but don't
21 agree because let's just say there's a five mile
22 piece of pipe out there, valve to valve. There's

1 a rupture. We go and replace two miles of it.
2 We have now taken out the rupture piece. We've
3 now put the new piece in and we still have a
4 valve five miles apart with a new section of pipe
5 in the middle.

6 What I am hearing you say, John, is
7 you've got to put a valve in there and now you've
8 just created two new segments you've got in
9 there. I am arguing that you've put this new
10 piece in. You are below 30 percent, you are
11 still good. And you are suggesting that you've
12 got to protect the stuff that it is connected,
13 too. And I don't think Ron and I are on board
14 with that because we just added a big, expensive
15 valve onto a brand new piece of pipe that was
16 taking care of the problem.

17 MR. GALE: And just remember, right,
18 if we are talking about a replacement project, we
19 are not probably talking about adding a valve.
20 We are talking about taking an existing valve and
21 automating it by putting the actuator on top of
22 it.

1 MS. PALKOVICH: Then we may be able to
2 live with that one. I'd defer to Ron, but that's
3 different than what I thought I heard you say.

4 MR. GALE: Yes, so just to be clear
5 and so, obviously, if it's new construction,
6 right, it's new pipe. So that's that. But it's
7 the replacement projects where you know you are
8 replacing two miles, there's still segments
9 within those two valves that are quote unquote
10 older pipe. So in that scenario, we are not
11 requiring the additional valve, a valve to be
12 added. We are just requiring that the valves
13 that are already there to become rupture-
14 mitigation valves by adding an actuator.

15 MR. MAYBERRY: Ron, I see you have
16 your hand up.

17 MR. BRADLEY: Yes, maybe I just didn't
18 put it down. But this is an interesting
19 conversation. It takes me back to -- oh, Ron
20 Bradley from PECO. It takes me back to an
21 earlier conversation. I think it was Chad that
22 helped us, level head, once again, hey listen,

1 this doesn't happen often, knock wood. Right?
2 It just doesn't happen often. We are really all
3 about making sure the integrity of our
4 transmission system is intact. We've played
5 through all the traceable, verifiable, complete.
6 We pressure test. We do nondestructive tests, do
7 tons of things to make sure we don't get here.

8 So I guess now we are talking about
9 this and the less than 30 percent. You've got a
10 valve, can you it modify it, you know, so that
11 you can control it remotely, okay. Maybe that
12 does work. But my context here was let's make
13 sure we are spending capital where the need is
14 the most and if we've got studies that show us
15 that there's generally a line, it is not a firm
16 line. Obviously, it can be gray. But there's
17 generally a cutoff line at 30 percent SMYS area
18 where the failure mode is in a violent rupture it
19 tends to be a different kind of a failure mode.

20 Trust me, we are not trying to -- we
21 are really -- folks in the gas industry are very
22 intensively focused on safety and we want to make

1 this right. We are going to try to make sure we
2 focus our capital in the right way.

3 MR. MAYBERRY: Members, would you be
4 comfortable with a revision to the language that
5 was more generic, something like PHMSA should
6 consider providing an exception for pipelines
7 with a SMYS less than 30 percent to ensure that
8 the costs are commensurate with the benefits and
9 consistent with the comments and the concerns
10 raised during the meeting? Something generic in
11 that nature.

12 MR. BRADLEY: And also, if I may, Sara
13 Gosman, I believe, we may have lost you for a
14 moment. I think you are back now. But we are
15 discussing the issue of 30 percent and trying to
16 have a carve out here recognizing the newer pipe
17 that doesn't have the issues or the sensibilities
18 of vintage pipe and so that's really kind of
19 where we are, trying to find a carve out for
20 that, recognizing new technology in pipe.

21 MR. MAYBERRY: But anyway, I see that
22 Sara, you have your hand up. So I recognize you.

1 MS. ROLLET GOSMAN: Hi, thanks, yes.
2 Sorry, I was kicked off for a while there. So I
3 guess on this last point, I didn't hear the whole
4 conversation, but the thing I am a little
5 concerned about the various exceptions that we
6 have gone through, but I thought the PIR
7 assessment was designed to get at some of these
8 issues around lower operating pressure which I
9 understand to be a similar concern in the world
10 of SMYS. And so it seems to me that if we are
11 trying to get at that through PIR, I wonder why
12 we are also trying to get at that through SMYS or
13 are they really going after different problems.
14 But given that they are -- again, my major
15 concern here is that we are talking about a very
16 small group of pipeline, less than one percent of
17 the entire transition pipeline system would even
18 be subject to this. And the members are anywhere
19 from like 50 to 70, right? So this is just --
20 it's pulling back from something that's already
21 really small to something that just is so small
22 that I think we are not doing enough on safety.

1 MR. MAYBERRY: All right. So we have
2 -- well, I think we are approaching the issue
3 from two different directions. One was PIR that
4 we had offered up, but then the other was the
5 exception for 30 percent new construction and
6 then for replacement projects that were of --
7 raises what we have here between valves that
8 would be exempt.

9 And then John had some other --
10 proposals really sort of send us, PHMSA, that is,
11 to develop solutions for both the cost benefit
12 meets that hurdle that we customarily have to do,
13 as you all know, regardless of the solution,
14 whether it's PIR or the 30 percent.

15 Is there some language that you could
16 agree on as a committee to sort of send us in
17 that direction?

18 John, do we have --

19 MR. GALE: Again, we could type it up
20 real fast.

21 MR. MAYBERRY: Okay.

22 MR. GALE: I think we are speaking

1 more to Mary and Ron here and I think this
2 generic language that also addresses some of
3 Sara's concerns for the exceptions. Something
4 more generic, something like PHMSA should
5 consider providing exceptions for those pipelines
6 with a SMYS less than 30 percent to ensure that
7 the costs of the rule are commensurate with the
8 benefit, but also ensuring that the integrity of
9 the rule is not lost, something along those
10 generically, in order to keep us moving.

11 MR. MAYBERRY: Okay, and then Sara, I
12 see you have your hand up.

13 MS. ROLLET GOSMAN: Yes. John, I
14 think that language is okay with me. I mean I
15 worry about pulling -- asking you to go and do a
16 specific cost benefit analysis on a portion of
17 the pipelines because I think that when you are
18 conducting these kinds of analyses if you segment
19 them too much, you are going to end up in
20 situations where it's going to look like the
21 costs are a lot higher than the benefits, but
22 there are benefits to actually having broader

1 categories and pipelines subject to safety
2 requirements if that makes sense. So again, with
3 that caveat, I think that you considering this in
4 a general cost benefit way and I like maintaining
5 the integrity of the rule. I am comfortable with
6 that.

7 MR. MAYBERRY: Thank you, Sara. Ron
8 or Mary?

9 Actually, Andy, you have your hand up,
10 then Chad.

11 MR. DRAKE: This is Andy Drake. I
12 just want to go on record. I agree with Sara. I
13 think the provisions that PHMSA has offered here
14 help kind of put a frame around this and some
15 practical boundaries around this. And I think it
16 provides assurances to the public. It also is
17 addressing a very (telephonic interference)
18 problem with a very limited group. I think this
19 is a very reasonable solution that you put
20 together on this spot.

21 MR. MAYBERRY: Thank you, Andy. Chad?

22 MR. ZAMARIN: Yes, thank you. Chad

1 Zamarin with Williams. I agree. I just did
2 maybe to Sara's point, I think what we are trying
3 to say is that there becomes a point where you go
4 so broad that you are mandating requirements for
5 pipeline segments that don't benefit from those
6 requirements. I think we want to be surgical and
7 not blunt in our approach to addressing rupture
8 mitigation. We've got, I think, very good
9 technical basis for excluding pipes that are
10 virtually never going to experience a rupture.
11 And so I like the idea of having PHMSA figure out
12 if the best way to do that is through the PIR
13 process or through the less than 30 percent
14 process, but I think it's the smart way to move
15 forward and make this as surgical as possible and
16 not just kind of blunt and broadly applied across
17 segments of pipe for which we get no benefit.

18 Thank you.

19 MR. MAYBERRY: Okay, thanks, Chad.

20 Mary?

21 MS. PALKOVICH: I am good with that
22 last bullet and that language is good. It

1 resolves our issue. Thank you.

2 MR. MAYBERRY: Okay, so we did that
3 one. Let's go back to the one that you are
4 chopping at to come back to, Andy. I'll turn the
5 floor back or over to you or actually, before I
6 do that, let me ask Mr. Gale, the chairman here.

7 MR. GALE: Members, real quick. It
8 was raised by Mr. Coyle in the public comments.
9 And it's been raised by Chad and I have a feeling
10 it's probably going to be raised by Andy as well.

11 MR. BRADLEY: Sorry, Alan. We can't
12 hear John very well.

13 MR. GALE: Oh, sorry, that was my
14 fault. Yes, as we heard from Mr. Coyle in the
15 public comments and Chad, from you, as well and I
16 am assuming probably -- I am not going to assume
17 what Andy is going to say, but regarding the
18 issue of covering gathering in the rule.

19 And it's correct, as Mr. Coyle pointed
20 out, gathering was not pointed out directly in
21 the rule. However, if you look in the regulation
22 in 192.9, in the discussion of Type A gathering,

1 it basically says an operator of a Type A
2 regulated gathering line must comply with the
3 requirements of the part applicable with
4 transmission lines.

5 So right or wrong, a lot of times when
6 we talk about the requirements on the
7 transmission line, at the same time, we are
8 talking about those lines that get brought in,
9 gathering got kind of brought in to that umbrella
10 of transmission. Should we have done a better
11 job in carving that out? I think the comments
12 should have done a better job carving out the
13 distribution as well and we tried to do that.
14 But the gathering lines that we are talking about
15 Type A greater than 12 inches right now. I think
16 total infrastructure that we have on our books
17 since the beginning is less than a thousand
18 miles. We are not talking a lot, but the Type A
19 gathering line and above 12 inches, those are
20 large lines that have, could have a significant
21 public risk in going in the future, especially
22 given the fact that obviously more of these types

1 of gathering lines are being built with the shale
2 gas revolution. So I just wanted to throw that
3 in there to help your discussion.

4 MR. MAYBERRY: Thank you, John. Well
5 said. I'll turn it over to Andy.

6 MR. DRAKE: This is Andy Drake with
7 Enbridge. John, you are headed right down where
8 I was going. I think, in looking back in the
9 NPRM, it does not call out gatherings. And I
10 think that's just a fair process question. And I
11 know their lawyers have weighed in there with
12 what you can and can't do.

13 But I think there -- I don't even know
14 that really the gathering folks are opposed to
15 this. I think what they're saying is they didn't
16 get adequate warning to do any kind of analysis
17 to come to this discussion to defend the
18 position.

19 And I think that's an appropriate flag
20 for this group. And I don't, I appreciate the
21 comment: it walks like a duck, it talks like a
22 duck, and I don't know that they're opposed to

1 doing this. But I think an important process
2 question for us, they were not explicitly
3 declared as in scope when the rule was proposed.

4 And here we are at the ninth hour, and
5 we are going, oh yes, you are in. That's not
6 appropriate, folks. That doesn't help us do
7 process. And I am not saying whether they should
8 or shouldn't be in, I think it's more of a
9 process question for the group to consider.

10 MR. MAYBERRY: All right. Thanks,
11 Andy. Sara?

12 MS. ROLLET GOSMAN: Yes. So a few
13 things. One, I am wondering if, given now that
14 we've sort of punted this back to PHMSA on the
15 question of cost-benefit and maintaining the
16 integrity of the rule, we will get rid of the PIR
17 exception. We are sort of essentially trying to
18 get that as well in this sort of whole thing
19 about whether these particular pipelines would
20 benefit from the valve requirement.

21 And then the other thing I wanted to
22 just ask PHMSA about here, or express a concern

1 about, is this question of multiple replacements
2 within five contiguous miles. So first of all,
3 thank you for doing that. I think that resolves
4 some of the gamesmanship issues that the Trust
5 raised in its comments. And the time period
6 also, I think, helps with that.

7 But I guess my question is, how will
8 PHMSA be inspecting or monitoring an operator's
9 decision about what constitutes, for example,
10 five contiguous miles.

11 MR. MAYBERRY: Steve, do you want to
12 address that?

13 MR. NANNEY: We would be doing that
14 on our own. Since, whether it was a --
15 (telephonic interference) -- inspection or a
16 periodic inspection that we make.

17 We do go out when they are
18 constructing pipelines and do inspections. So
19 most of them would be done there.

20 MS. ROLLET GOSMAN: Okay. Thank you.
21 Yes, I just wanted to make sure, because it seems
22 to me that all of this question comes from some

1 lack of clarity, depending on where you want to
2 move that five-mile rule. I think it could cover
3 two miles, right, with multiple projects, or it
4 couldn't.

5 So I just want to make sure there's
6 some oversight of that particular issue. It
7 sounds like there is, so that has addressed my
8 concern on that.

9 On the question of specificity on
10 standards, again apologies if this was already
11 discussed, but I just wanted to make sure that I
12 said I was supportive of those standards. And,
13 PHMSA, you had criteria that you listed in the
14 slides that I thought were good criteria to
15 include for this review. And I'd also ask you to
16 consider, specifically, how you are going to
17 review the question of economic infeasibility.
18 Thank you.

19 MR. MAYBERRY: Thank you, Sara. We
20 are also adding some language up here related to
21 the concern on gathering, as far as a process
22 issue to see -- you know, this is the Committee

1 recommendation, so see how you, you know, as a
2 committee, would be with what Saylor is writing
3 right now.

4 So PHMSA will consider the
5 appropriateness of applying this rulemaking to
6 gathering lines due the nature of the notice. I
7 guess --- yes, just go ahead and say lack of
8 specific public notice.

9 Okay, I see, Sara, your hand is still
10 up or you have ---

11 MS. ROLLET GOSMAN: Oh, I am sorry.
12 I forgot to put it down.

13 MR. MAYBERRY: That's okay. Okay, any
14 comments on what was just added there? Andy?

15 MR. DRAKE: Yes, this is Andy Drake
16 with Enbridge, Alan. I think I'd offer this
17 thought, to maybe provide more specificity, is
18 that, perhaps changing the gathering thing so
19 that PHMSA would consider applying this rule to
20 gatherings separately. And it's not like binary,
21 like they either are in this rule or they're not
22 in anything. It's are they in this rule, or is

1 there a separate application that you'll pursue?

2 I think that might give more certainty
3 to some of the folks on the Committee, that this
4 is issue is not going to go away, it's just
5 whether or not it'll be addressed now or
6 separately.

7 MR. MAYBERRY: We can add or separate
8 or --

9 MR. DRAKE: Or separate rulemaking.

10 MR. MAYBERRY: Or separate rulemaking,
11 right, applying to this rulemaking, or separate
12 rulemaking. That should get to what you are
13 talking about.

14 And I see, Mary, you gave us a check
15 mark on that. I'll take that as also a thumbs
16 up.

17 (Laughter.)

18 MR. MAYBERRY: Any other comments?
19 What else do we have? Okay, so I'll move on from
20 that if there are no other comments.

21 Yes, Sara, what other issues?

22 MS. ROLLET GOSMAN: Thank you. I

1 think that I just have a lingering question about
2 the PIR exception. I think if we are going to
3 send the issue of 30 percent SMYS base to PHMSA,
4 I would like to do the same around whether a PIR
5 equal to or less than 150 feet is justified,
6 based on those same set of issues: the cost-
7 benefit and maintaining integrity of the rule.

8 MR. MAYBERRY: Okay. Yes, we can
9 specify that in there.

10 Yes, that was one of two options.

11 Okay, Rich?

12 MR. WORSINGER: Rich Worsinger, Wilson
13 Energy. Just a clarification, or maybe just to
14 make this look better, the second bullet point
15 talks about Type B gathering pipelines. And then
16 later on they mentioned, would support an
17 exception for Type A gathering lines.

18 And I guess gathering lines are now
19 talked about in at least three spots here. I am
20 wondering if it just couldn't all be included
21 into one comment, just to clarify, so you are not
22 bouncing around when you are reading this.

1 MR. MAYBERRY: So to combine the
2 second bullet with -- all right, I think we --
3 Rich, we can work with this.

4 MR. WORSINGER: Okay.

5 MR. MAYBERRY: I think we are good.
6 I mean, it's a little bit messy, but we've got
7 the recommendations we need here.

8 MR. WORSINGER: Agreed.

9 MR. MAYBERRY: Okay. Any other hands
10 up? I see Diane, I'll recognize you.

11 MS. BURMAN: Thank you. I am sorry,
12 because I did step out for most of the second
13 half of the meeting.

14 I just want to make sure if there's
15 anything on the committee voting slides that
16 hasn't been -- or anything that was in the
17 discussion that hasn't been addressed, and just
18 wanted to make sure I am flagging anything that I
19 may have missed or that still needs to be
20 clarified.

21 MR. MAYBERRY: No. I think we are
22 good unless -- I mean, we'll have a last call,

1 but certainly we addressed the timeframe for
2 implementation, we addressed the applicability of
3 gathering lines. We addressed exceptions for,
4 and there are a couple of options that you'll see
5 embedded in here related to an exception
6 generally for new pipelines of 30 percent -- I
7 mean, applicability, new construction, or
8 pipelines 30 percent SMYS or greater, or some
9 application of a PIR limitation.

10 Those were really the main issues that
11 took conversation.

12 MS. BURMAN: Thank you so much.

13 MR. MAYBERRY: Mm-hmm. I think we are
14 good on those unless, are there any other issues
15 from any member?

16 Rich, your hand's still up. I assume
17 that's unintentional.

18 Okay, are we ready for someone to call
19 for a vote? Chad, I'll recognize you.

20 MR. ZAMARIN: Thanks. I would make a
21 motion for a vote that, are we ready to go ahead?

22 MR. MAYBERRY: Yes. Please go ahead.

1 MR. ZAMARIN: All right. I motion
2 for a vote that the proposed rule, as published
3 in the Federal Register and the draft regulatory
4 evaluation with regard to rupture mitigation
5 valves are technically feasible, reasonable,
6 cost-effective, and practicable if the following
7 changes are made.

8 Incorporating reporting requirement in
9 192.18 into the final rule. Revising the final
10 rule to designated a valve on crossover piping
11 that is locked and tagged closed in accordance
12 with operating procedures as a rupture mitigation
13 valve. Revising the final rule to address
14 applicability to multiple replacements that, in
15 the aggregate, exceed two miles within five
16 contiguous miles within a 24-month period.

17 Adding specificity on standard or
18 PHMSA review of other technology and manual valve
19 notification; PHMSA will consider check valves as
20 a mitigation technology. Changing the time frame
21 to activate rupture mitigation valves after
22 completion of construction from 7 days to 14

1 days.

2 PHMSA would consider exceptions for
3 long pipelines with SMYS of 30 percent or less
4 and, two, for all GT/GG lines with a PIR equal to
5 or less than 150 feet, but not those within a
6 Class 4 location considering cost-benefit issues
7 and while maintaining the integrity of the rule.

8 PHMSA would support an exception for
9 a Type A gathering lines of 12 inches or less and
10 Type B gathering lines.

11 PHMSA will consider the
12 appropriateness of applying this rulemaking or a
13 separate rulemaking to gathering lines, due to
14 the lack of public notice, if PHMSA changed the
15 implementation of the rule to 24 months after the
16 publication date.

17 MR. MAYBERRY: Thank you, Mr. Zamarin.
18 Is there a second?

19 Mr. Drake?

20 MR. DRAKE: This is Andy Drake with
21 Enbridge. I'd second that motion.

22 MR. MAYBERRY: Okay. Any discussion?

1 I don't see any hands being raised or any hands
2 being raised for discussion. So, Cameron, let's
3 go for a vote.

4 MR. SATTERTHWAITE: All right. This
5 is Cameron Satterthwaite. PHMSA, we'll just go
6 right through the list of names. And if you
7 agree with the language, just say yes, if not,
8 no. We'll start off with Diane Burman.

9 MS. BURMAN: Yes.

10 MR. SATTERTHWAITE: Peter Chace?

11 MR. CHACE: Yes.

12 MR. SATTERTHWAITE: David? I don't
13 think he's back yet, but I'll say his name.

14 David Danner?

15 Sara Longan? I'll double check with
16 the moderator to see if Sara is --

17 THE OPERATOR: Sara is connected.
18 Sara, please unmute yourself to register your
19 vote.

20 I'll move on to -- we'll come back.

21 MS. LONGAN: Sorry, I had a problem
22 unmuting. Yes.

1 MR. SATTERTHWAITE: Okay, thank you.

2 Rod Bradley?

3 MR. BRADLEY: Yes.

4 MR. SATTERTHWAITE: Andy Drake?

5 MR. DRAKE: Yes.

6 MR. SATTERTHWAITE: Mary Palkovich?

7 MS. PALKOVICH: Yes.

8 MR. SATTERTHWAITE: Richard Worsinger?

9 MR. WORSINGER: Yes.

10 MR. SATTERTHWAITE: Chad Zamarin?

11 MR. ZAMARIN: Yes.

12 MR. SATTERTHWAITE: Jon Airey?

13 MR. AIREY: Yes.

14 MR. SATTERTHWAITE: Sara Gosman?

15 MS. GOSMAN: Yes.

16 MR. SATTERTHWAITE: And Robert Hill?

17 MR. HILL: Yes.

18 MR. SATTERTHWAITE: All right. Thank
19 you.

20 MR. MAYBERRY: Okay, thank you very
21 much, Members. The motion passes unanimously.

22 When is Chairman Danner due back?

1 4:15, okay, we have a few more minutes, and what
2 we will do is move on into the next topic. And,
3 John, do you need to introduce it, or should I
4 turn it directly over to Steve?

5 MR. GALE: To Steve.

6 MR. MAYBERRY: Okay. Steve, the floor
7 is yours to go into the next topic.

8 MR. NANNEY: Okay. Well, we are on
9 the downhill slide now.

10 Valve spacing and location. PHMSA
11 proposed to require ASVs, RCVs, and equivalent
12 technology on newly-constructed or entirely-
13 replaced pipelines equal to or greater than 6
14 inches in diameter at specified intervals, and
15 we'll have that on the next slide, and also to
16 modify EMF requirements to specify that rupture
17 mitigation valves installed to protect high-
18 consequence areas must meet the design,
19 operation, testing, maintenance, and rupture
20 mitigation requirements in 192.615(a)(6),
21 192.634, and 192.745.

22 Slide 68, the rupture mitigation valve

1 spacing that we were requiring in 192.634 would
2 be eight miles for Class 4, 15 miles for Class 3,
3 20 miles for Class 2, HCAs only, and 20 miles in
4 Class 1, HCAs only.

5 slide 69, please. Some of the
6 comments we got from the public on the valve
7 spacing, NTSB requested that PHMSA justify the
8 technical basis for the valve spacing intervals.
9 Pipeline Safety Trust expressed concern for 15
10 and 20-mile spacing as being too far, especially
11 for large diameter pipelines.

12 The Pipeline Safety Trust also
13 requested a clarification that new valve spacing
14 requirements would be equal to or more stringent
15 that currently required valves.

16 And the PHMSA response was, PHMSA
17 believes that the notice of proposed rulemaking
18 spacing is appropriate. Experience gained from
19 one class bump regulations for MAOP
20 determination, due to a class location change,
21 supports the proposed approach.

22 slide 70. Some other public comments

1 we got on valve spacing was consolidate valve
2 spacing requirements into a single part. Clarify
3 that if replacements for 643(b) applies, that 179
4 valve spacing does not apply.

5 PHMSA response, PHMSA will consider
6 the comments and Committee recommendations to
7 improve readability of the final rule.

8 Slide 71. Other valve spacing
9 comments with respect to rupture mitigation
10 valves on laterals clarifies the 5 percent volume
11 contribution for determining placement of valves
12 on laterals is based on flow rate or total
13 volume.

14 PHMSA response, PHMSA confirms total
15 volume was intended, not volumetric flow rate.

16 Slide 72. Additional public comments
17 on valve spacing. Revise 192.179 to clarify that
18 Class 1 and Class 2 locations outside of HCAs do
19 not require rupture mitigation valves, unless the
20 replacement project involves a valve; in other
21 words, an opportunistic approach.

22 PHMSA response, the rupture mitigation

1 valving requirements in Class 1 and 2 locations
2 were intended to only apply to new construction
3 and those replacement projects two miles or
4 greater in length involving a valve, as the
5 commenter stated, in the opportunistic approach.

6 This is unlike the requirements
7 affecting Class 3 and 4 locations in HCAs, which
8 require upstream and downstream automated valves
9 for new construction and two-plus-mile
10 replacements, regardless of whether the project
11 involved a valve installation.

12 Therefore, PHMSA agrees with the
13 commenter and will clarify in the final rule
14 that Class 1 and 2 locations outside of HCAs do
15 not require rupture mitigation valves unless the
16 replacement project involves a valve.

17 Slide 73, additional public comments,
18 clarify cross references to 192.179 and 192.634
19 to clarify the applicability for Class 1 and
20 Class 2 pipelines.

21 PHMSA's response, 192.634(b) is not
22 intended to apply to Class 1 and Class 2

1 pipelines outside of HCAs. PHMSA will consider
2 the comments to clarify requirements for Class 1
3 and 2 locations outside of HCAs improved
4 readability of the final rule and specify that
5 valving requirements in 192.634 apply to
6 replacement projects covered by 192.179.

7 Slide 74, please. Valve location
8 comments, additional ones. We stated in
9 192.634(b) that the shut-off segment must contain
10 the new or replaced Class 3, 4, or HCA segment.
11 Clarify that no downstream rupture mitigation
12 valve is required at the termination of a
13 pipeline.

14 PHMSA intends that the shut-off
15 segment contains the entire new or replaced Class
16 3, 4, or HCA segment and will clarify in the
17 final rule. Rupture mitigation valves will not
18 be required at the downstream termination, if it
19 is within the required spacing distance of the
20 upstream mitigation valve, and PHMSA will clarify
21 in the final rule.

22 Slide 75. Additional public comments.

1 Clarify that operational block valves are
2 permitted within a shut-off segment. Clarify
3 that the rupture mitigation valve need not be the
4 nearest valve to the shut-off segment.

5 PHMSA intended that operational block
6 valves be permitted within a shut-off segment,
7 and rupture mitigation valves may not be the
8 nearest valve to the shut-off segment. PHMSA
9 will consider these comments to improve
10 readability of the final rule.

11 Slide 76. PHMSA proposed -- this is
12 on valve status monitoring. PHMSA proposed to
13 require monitoring or control of rupture
14 mitigation valves by remote or on-site personnel
15 involving valve status, upstream and downstream
16 pressure, and flow rates during normal, abnormal,
17 and emergency operations, and also to monitor
18 valve status during a rupture event.

19 Slide 77. Additional public comments
20 on valve status monitoring. Clarify that remote
21 monitoring of ASV status is not required. Where
22 valve status is not available, allow either

1 pressure or flow monitoring in lieu of valve
2 status. Clarify if remote flow pressure
3 monitoring is required for manual rupture
4 mitigation valves following closure. Remove the
5 requirement for continuous monitoring at the site
6 of a manual rupture mitigation valve for best use
7 of operator personnel.

8 PHMSA response, PHMSA believes that
9 the ability to monitor ASV/RCV valve position,
10 upstream pressure, and downstream pressure is
11 important for effective identifications of
12 ruptures and instant mitigation.

13 In the case of manual valves, the
14 ability to monitor upstream and downstream
15 pressures and flow rates is equally important.
16 Similar to manual valves, ASV status need not be
17 monitored if the operator can monitor pressures
18 or flows to be able to identify and locate a
19 rupture. PHMSA will clarify this in the final
20 rule.

21 slide 78. Again, this concludes
22 PHMSA's response to comments on general topics

1 related to rupture mitigation valve spacing,
2 location, and status monitoring.

3 And in light of comments received from
4 the notice, PHMSA recommends the Committee
5 consider the following.

6 Number one, revising the rule to
7 clarify that replacement projects in Class 1 and
8 2 locations outside of HCAs do not require
9 rupture mitigation valves unless the replacement
10 project involves a valve.

11 Also, specifying that 192.634(b) does
12 not apply to Class 1 and 2 pipelines outside
13 HCAs, and that spacing requirements in 192.634
14 apply to replacement projects covered in 192.179.

15 And lastly, specifying in 192.634(b)
16 that the shut-off segment must contain the new or
17 replaced Class 3, 4, or HCA segment.

18 Slide 79. Also, additional items that
19 PHMSA recommends the Committee consider is
20 specifying that rupture mitigation valves would
21 not be required at the downstream termination of
22 the pipeline, specifying that operational block

1 valves be permitted within a shut-off segment and
2 rupture mitigation valves not be the nearest
3 valve to the shut-off segment.

4 And last, specifying that ASV status
5 need not be monitored if the operator can monitor
6 pressures or flows to be able to identify and
7 locate a rupture, similar to manual valves.

8 Slide 80. Chairman, I turn it over to
9 you for public comments.

10 MR. MAYBERRY: Okay. Thank you very
11 much, Steve. Chairman Danner, are you back? I
12 see your name popped up there.

13 THE OPERATOR: Mr. Danner's phone line
14 is not yet connected.

15 MR. MAYBERRY: Okay, thank you. Well,
16 I'll turn it over to you, Mr. Moderator, to open
17 the phone line for public comments.

18 THE OPERATOR: Very good. For
19 comments at this time, it's 1, then 0 on your
20 telephone keypad.

21 We'll go to the line of C.J. Osman
22 from INGAA. Please go ahead.

1 MR. OSMAN: Hi, good afternoon,
2 members of the GPAC and PHMSA staff. Thanks for
3 keeping us moving here.

4 I just wanted to offer a very brief
5 comment. And this was a portion of the proposed
6 rule that, when the various industry associations
7 submitted comments, we asked lots of questions
8 and requests for clarification.

9 We sort of thought that we generally
10 agreed with PHMSA's intent on this section, based
11 on the preamble on the things. But because all
12 of this language is layering onto existing codes,
13 there was a lot of questions about whether it was
14 clear what the intent really was.

15 So I just wanted to say that we
16 appreciate all of the clarity that PHMSA has
17 provided in these slides, and that it addresses
18 all the implementation and technical questions
19 that we had on this section and the comments. So
20 we appreciate the diligence of the PHMSA team
21 working through all that and addressing all those
22 questions. Because they're important as your

1 members go to actually implement these new
2 regulations which we support.

3 THE OPERATOR: Thank you. Then next
4 we'll go to the line from TC Energy. David
5 Chittick, your line is open.

6 MR. CHITTICK: Hi, it's David Chittick
7 with TC Energy, C-H-I-T-T-I-C-K. I just wanted
8 to recognize and acknowledge PHMSA for clarifying
9 that monitoring the status of valve position is
10 not needed when we have access to information
11 such as pressure data, or flow data from other
12 facilities we may have within the pipeline
13 segment.

14 We agree, PHMSA had noted the
15 knowledge of valve position could be beneficial
16 in the identification efforts, but industry had
17 highlighted that knowledge of this other
18 information, which is often available, can be
19 effectively utilized to support the
20 identification, negating the need to install
21 communication equipment, control systems, et
22 cetera.

1 So I just wanted to acknowledge
2 appreciation for PHMSA recognizing the
3 effectiveness of the other approach. Thank you.

4 THE OPERATOR: Thank you. Then for
5 additional comments at this time, please press 1,
6 then 0 on your telephone keypad.

7 Allowing time for participants to get
8 into the comment queue, there are none at this
9 time. And we do not yet have David Danner
10 connected on the phone.

11 MR. MAYBERRY: Okay, thank you very
12 much. We will proceed. I will just open it up
13 to the Committee for any comments. We do have
14 the voting slides put up there, but welcome any
15 comments that you might have.

16 MR. GALE: And, Chairman, I'd just
17 like to note that there's actually two pages.
18 You can continue at the bottom so ---

19 MR. MAYBERRY: Oh.

20 MR. GALE: -- just let us know if you
21 want us to switch to the second page for members.

22 MR. MAYBERRY: Well, we have the --

1 okay, the first page here, revising the rule to
2 clarify the replacement projects in Class 1 and 2
3 class locations outside HCAs do not require
4 rupture mitigation valves unless the replacement
5 project involves a valve; the opportunistic
6 approach Steve referred to.

7 And specifying that 192.634(b) does
8 not apply to Class 1 and 2, or pipelines outside
9 of HCAs, and the spacing requirements in 192.634
10 apply to replacement projects covered by 192.179.

11 And then lastly, on this page,
12 specifying 192.634(b) that the shut-off segment
13 must contain the new or replaced Class 3, 4, or
14 HCA segment.

15 Next page. I know one of you will be
16 repeating this, but specifying that rupture
17 mitigation valves will not be required at the
18 downstream termination of a pipeline. This
19 finding that operational block valves be
20 permitted within a shut-off segment and rupture
21 mitigation valves need not be the nearest valve
22 to a shut-off segment.

1 And then lastly, specifying that
2 automatic shut-off valves' status need not be
3 monitored if the operator can monitor pressures
4 or flows to be able to identify and locate a
5 rupture, similar to a manual valve.

6 Any comments? I'll give a little bit
7 of a pregnant pause.

8 You know, I need to leave some work
9 for Chairman Danner here. Why don't we go ahead,
10 and may I ask for someone to move for a vote?
11 Any takers there? Mr. Drake? You are on mute.

12 MR. DRAKE: Sorry. I waited to hear
13 if there was any comments there, but I think
14 you've done a very good job of capturing this. I
15 guess I would ask the question, maybe before I
16 make a motion, to Sara.

17 We had talked about class locations
18 earlier, and this would be where this is
19 relevant. And I want to make sure that your
20 concern was addressed here in this language,
21 because I think it's pertinent that if a class
22 changes in an HCA or a Class 4 area that we will

1 be obligated to automate the valves to keep the
2 change. And I just wanted to make sure that
3 addressed your concern. Because this would be
4 the language where we would adjust it if it
5 doesn't.

6 MR. MAYBERRY: Yes, Andy, thank you
7 for coming back to that. Sara?

8 MS. ROLLET GOSMAN: Thanks, Andy. So
9 I see this set of provisions as related to the
10 specifics on rupture mitigation valves. And the
11 conversation that we had before was a front-end
12 exception for pipelines with small PIRs.

13 So I see the relationship here, but to
14 me they seem like different sets of issues. So I
15 think if we are going to be crafting an exception
16 to the initial requirement for automatic shut-off
17 valves or remote control valves, you know, to me
18 that makes more sense in that initial provision,
19 not under the rupture mitigation valve
20 requirements, which sort of are a more limited
21 set of the valves involved.

22 But if I am missing something about

1 what this part is supposed to do, Andy, or your
2 vision of it, I'd appreciate an explanation.

3 That would be great.

4 MR. DRAKE: Well, actually in looking
5 at the way the slides are laying out, I think
6 it's the next vote that would actually have the
7 class change requirements in it.

8 This actually just sort of sets up
9 some of the parameters around classification
10 changes and where we would have -- I am trying to
11 read some of the language in here, but I think
12 it's actually the next vote, actually, Sara.
13 Sorry.

14 MR. MAYBERRY: John?

15 MR. GALE: And, Chairman, if I may,
16 Yes, Andy is right. The class location
17 discussion's really in the next segment that we
18 are going to discuss.

19 But to your point, Sara, this is
20 really, and as it was articulated by some of the
21 public comments, I would call this more clean-up
22 in clarification of what the original proposal

1 was about.

2 For example, like the first bullet
3 there about revising the rule to clarify that
4 replacement projects in Class 1 and 2, non-HCA
5 areas do not require rupture mitigation valves
6 unless the replacement project involves a valve.

7 That was always their intent. We are
8 just making sure that it's clear. We'll try to
9 provide more specificity in the language so
10 everyone understands their obligation. So a lot
11 of these bullets, really, in this segment are
12 really about clean-up and clarification of what
13 the original proposal was about.

14 MS. ROLLET GOSMAN: Thank you. And
15 thanks again. Yes, so in terms of the class
16 location changes, then, I think I'd like to
17 continue that conversation in the next set.

18 But as I understand this set, maybe
19 just to clarify on my side, all of these
20 particular provisions are essentially policy
21 decisions that PHMSA has made and just wants to
22 clarify in the rule, as opposed to any changes

1 that are being proposed. Is that right?

2 MR. GALE: I would say that's a
3 correct articulation of it. That's correct.

4 MS. ROLLET GOSMAN: Okay. And with
5 that, I am okay with all of these clarifications.

6 MR. GALE: Thank you.

7 MR. MAYBERRY: Thank you, John. Thank
8 you, Sara. Andy, back to you.

9 MR. DRAKE: Yes. Now that I get the
10 drift of this and how to connect it to the next
11 section, I think this is pretty straightforward.

12 And I'd like to make a motion that the
13 proposed rule is published in the Federal
14 Register, and the draft regulatory evaluation
15 with regard to valve spacing, location, and
16 status monitoring are technically feasible,
17 reasonable, cost-effective, and practicable if
18 the following changes are made.

19 One, revising the rule to clarify that
20 replacement projects in Class and 2 locations
21 outside of HCAs do not require rupture mitigation
22 valves unless the replacement project ---

1 (Simultaneous speaking.)

2 MR. MAYBERRY: Hello? Someone not on
3 mute?

4 MR. DRAKE: Okay, I am going to keep
5 going.

6 MR. MAYBERRY: Yes, keep going.

7 MR. DRAKE: -- i.e. opportunistic
8 approach to specifying that paragraph 192.634(b)
9 does not apply to Class 1 and 2 pipelines outside
10 of HCAs, and that spacing requirements in 192.634
11 apply to replacement projects covered by 192.179.

12 Three, specifying in paragraph
13 192.634(b) that the shut-off segment must contain
14 the new or replaced Class 3, 4, or HCA segment.

15 Next slide. Four, specifying that
16 rupture mitigation valves would not be required
17 at the downstream termination of the pipeline.

18 Five, specifying that operational
19 block valves be permitted within the shut-off
20 segment and rupture mitigation valves need not be
21 the nearest valve to the shut-off segment.

22 And six, specifying that ASV status

1 need not be monitored if the operator can monitor
2 pressures or flows to be able to identify and
3 locate a rupture, similar to manual valves.

4 MR. MAYBERRY: Okay, thank you, Mr.
5 Drake, for that motion. Is there a second?

6 MR. HILL: Robert Hill. I would like
7 to second.

8 MR. MAYBERRY: Thank you, Mr. Hill.
9 Any discussion? Don't see any hands raised.

10 Mr. Satterthwaite, please take a vote.

11 MR. SATTERTHWAITE: All right. We'll
12 do it just like before. We'll say your name, and
13 yes if you agree and no if you do not. Diane
14 Burman?

15 MS. BURMAN: Yes.

16 MR. SATTERTHWAITE: Peter Chace?

17 MR. CHACE: Yes.

18 MR. SATTERTHWAITE: I don't think
19 David is with us right now. David Danner?

20 Sara Longan?

21 MS. LONGAN: Yes.

22 MR. SATTERTHWAITE: Ron Bradley?

1 MR. BRADLEY: Yes.

2 MR. SATTERTHWAITE: Andy Drake?

3 MR. DRAKE: Yes.

4 MR. SATTERTHWAITE: Mary Palkovich?

5 MS. PALKOVICH: Yes.

6 MR. SATTERTHWAITE: Rich Worsinger?

7 MR. WORSINGER: Yes.

8 MR. SATTERTHWAITE: Chad Zamarin?

9 MR. ZAMARIN: Yes.

10 MR. SATTERTHWAITE: Jon Airey?

11 MR. AIREY: Yes.

12 MR. SATTERTHWAITE: Sara Gosman?

13 MS. ROLLET GOSMAN: Yes.

14 MR. SATTERTHWAITE: Bob Hill?

15 MR. HILL: Yes.

16 MR. SATTERTHWAITE: Thank you very
17 much.

18 MR. MAYBERRY: Thank you, the motion
19 carries. We'll move on to the next topic.
20 Congratulations, by the way.

21 Steve, I'll turn it back over to you
22 to discuss the next section, location changes.

1 MR. NANNEY: Okay. We'll get into
2 Andy's favorite topic, class location changes.
3 The issue here is confirming changes needed to
4 draft existing class location requirements when
5 future class location changes require pipe
6 replacement.

7 The basis is that the requirements for
8 rupture mitigation valves are intended to apply
9 to pipe replacement projects resulting from
10 future class location changes. And PHMSA
11 proposes the following.

12 If a class location change after the
13 effective date results in pipe replacement, then
14 valves meeting 192.179 and 192.634 must be
15 installed as part of the replacement project.
16 Install rupture mitigation valves within 24
17 months after the class location change.

18 Slide 85. Public comments that we
19 received, the industry commented that 192.610
20 would shift resources towards a minimal amount of
21 pipeline mileage and would inhibit higher value
22 system-wide safety enhancements and recommended,

1 one, that we allow operators to automate existing
2 valves instead of installing new valves for pipe
3 replacements between 2,000 feet and two miles.
4 The distance between the valves not to exceed 20
5 miles; in other words, the Class 1 spacing.

6 For pipe replacements greater than or
7 equal to two miles, valve spacing required at
8 192.179 and 192.634, as appropriate, would apply.
9 Exclude short pipe replacements less than 2,000
10 feet.

11 slide 86, please. Slide 86, the PHMSA
12 response. Valve spacing proposed in 192.634
13 would be applicable to class location changes
14 under 192.610. PHMSA intends to clarify the
15 exclusion for small pipeline replacements, less
16 than 1,000 feet within one contiguous mile.

17 For pipe replacements due to class
18 locations between 1,000 feet and two miles, PHMSA
19 believes that operators should be allowed to
20 automate existing valves with RCVs/ACVs and
21 pressure sensors with maximum spacing of 20
22 miles, consistent with the operational capability

1 specified in 192.634. PHMSA will modify the
2 final rule accordingly.

3 Slide 87, please. This concludes the
4 PHMSA response to comments on general topics
5 regarding class location changes in 192.610. In
6 light of comments received from the notice of
7 proposed rulemaking, PHMSA recommends the
8 Committee consider the following.

9 Valve spacing proposed in 192.634
10 would be applicable to class location changes
11 under 192.610.

12 Number two, excluding pipeline
13 replacements less than 1,000 feet within one
14 contiguous mile.

15 And third, for pipe replacements due
16 to class locations between 1,000 feet and two
17 miles, allowing operators to automate existing
18 valves with RCVs/ASVs and pressure sensors with
19 maximum spacing of 20 miles consistent with the
20 operational capability specified in 192.634.

21 Slide 88, I'll turn it back over to
22 the Chairman. Chairman Danner or Chairman

1 Mayberry.

2 MR. MAYBERRY: Thank you. I had a
3 mute issue. I am back.

4 Thank you, Steve. I'll turn it over
5 to our moderator to see if we have any public
6 comments.

7 THE OPERATOR: Very well. Ladies and
8 gentlemen, 1 then 0 for public comment at this
9 time. It'll be a moment while we get the
10 commenter's name.

11 And from Boardwalk Pipelines, we'll go
12 to the line of Darral Ward. Your line is open.

13 MR. WARD: Thank you, and thank you to
14 the Committee. Darral Ward for Boardwalk
15 Pipelines.

16 We support revising 192.610 to allow
17 operators to automate existing valves, instead of
18 the prescriptive approach of installing new
19 valves when class location changes occur.

20 PHMSA proposes to require operators to
21 install additional valves to meet the new
22 construction valve spacing in 192.179 whenever an

1 operator replaces less than two miles of pipe due
2 to a class location change under 192.611.

3 I agree PHMSA should give operators
4 the option to automate existing valves, instead
5 of installing new manual valves, in conjunction
6 with class location pipeline replacements that
7 are less than two miles.

8 Operators choosing the valve
9 automation option should be required to have both
10 the upstream and downstream valves automated to
11 isolate the class change segment, such that the
12 distance between the automated valves do not
13 exceed the Class 1 valve spacing of 20 miles.
14 Automating existing valves could provide more
15 benefit at a lower cost than installing new
16 valves.

17 The rest of the proposed rule is about
18 promoting the use of modern automated valve
19 technology. And I feel that 192.610 should do
20 the same. Closing two automated valves that are
21 spaced at a Class 1 valve space of 20 miles would
22 usually be quicker than closing two manual valves

1 spaced at the Class 3 valve spacing of eight
2 miles.

3 And further, making this change would
4 reduce the cost of the proposed rule by tens of
5 millions of dollars, while also enhancing public
6 safety. I appreciate your comments.

7 THE OPERATOR: Thank you. Then next
8 we go to the line of Matt Nicholson with TC
9 Energy. Your line is open.

10 MR. NICHOLSON: Yes, thanks for that.
11 Matt Nicholson, N-I-C-H-O-L-S-O-N, TC Energy.

12 In the original language of 610, we
13 noticed, by the way, there was a requirement
14 there that we install new valves for all pipe
15 replacements due to the class locations, but it
16 was regardless of the length. So even very short
17 pipe replacements that are driven by class change
18 are subject to this rule.

19 So I am glad to see on the slides
20 today that PHMSA's now excluding short pipe
21 replacements. I think industry recommended 2,000
22 feet with spacing coming back up 1,000-foot

1 threshold. But either way, I think it makes
2 sense for there to be lower bound limits that are
3 not subject to these requirements.

4 But some of the reasoning though, we
5 felt this made sense to have that lower bound
6 limit or exclusion for the -- you know, when we
7 look at this strictly from an implementation,
8 from a cost and planning perspective, the short
9 pipe replacement look more like routine
10 maintenance than they do construction projects.
11 They're typically smaller in effort and
12 permitting, and don't take as long to execute.

13 And also, in the short sections, we
14 see circumstances arising where, if we take out
15 short sections of pipe, we probably won't have
16 enough of a run to actually install a valve where
17 it's required. So that would require that we
18 open up a second project, and then locate and
19 install that valve under that project, which
20 would extend outages and overall cost.

21 And even with the option -- I heard
22 the previous caller talking about the option of

1 automating upstream and downstream valves, we
2 support that, and I think that provides a lot of
3 benefit, but even in a short section, you know,
4 the cost associated with automating those valves
5 could be cost prohibitive.

6 And if we are talking about short
7 section replacement, then you are looking at the
8 valve or even the automation of valves becoming a
9 big cost driver on that short replacement
10 section.

11 And I think in the end, we sort of
12 struggle over the question as to whether these
13 additional costs to protect these little segments
14 of class replacement are really the most
15 effective use of our integrity resources, right?
16 There could be better ways we could be spending
17 that money and providing broader protections.

18 You know, from an overall perspective
19 as well, we know that the sense is, when you are
20 reducing the threshold for exemption to 1,000
21 feet, what we'd like to see included in the rule
22 is also an option for maybe a notification

1 process. Where the operator can demonstrate that
2 the installation or automation of additional
3 valves, really that don't result in any improved
4 safety or reduce risk to that short segment.

5 Because there may be instances where
6 we have a existing instrumentation that can
7 ensure timely recognition. And we have response
8 time to the two valves that will get us there in
9 the time requirements in the rule if there is a
10 rupture. So we want to take that into
11 consideration as well.

12 I'll end with that. Thanks.

13 THE OPERATOR: Thank you. Then
14 checking for any additional, there's no one in
15 the comment queue at this time. Please continue.

16 MR. MAYBERRY: Okay. Thank you very
17 much. Now I'll turn it over to the Committee for
18 any comments. Andy, you want to pick up where
19 you left off?

20 MR. DRAKE: Well, sure. Steve, you
21 are right, this is where I am kind of excited. I
22 think this is actually something that's very

1 proactive in the rule proposal that you've made.
2 It cleans up a lot of issues; you know, class
3 location.

4 One of the things I just want to bring
5 up here as a matter of practicability and, Sara,
6 you and I talked about this, is the matter of why
7 two miles? You know, why set this limit in
8 place?

9 And I think it's a matter of
10 practicability. When we have class locations
11 changing, you are talking about an existing
12 pipeline, you are talking about a relatively
13 shorter section, so to speak, and what happens is
14 we have existing land rights that don't allow us,
15 unless we are dealing with a valve, don't allow
16 us above-ground rights to their land. And the
17 shorter that segment gets, less than two miles,
18 the likelihood that we can get above-ground
19 rights to put a valve in there, it gets really,
20 really hard.

21 And I think that that is really just
22 a practical place we are trying to draw space

1 here. The ability to drop a valve in there is
2 interesting. It's going to be very challenging,
3 especially we don't have the right of way rights
4 to do it.

5 We can solve this problem by
6 automating the valves on either side. And I
7 think, when you look at the decompression curves
8 based on valve spacing in the kind of dimensions
9 that we are talking about, versus response times
10 that are accelerated by automation of the valves,
11 you find out that that's a better deal. And it's
12 practical.

13 And I think this is a really
14 appropriate solution for a problem that actually
15 has been faced for a long time, about how to
16 apply system design criteria to existing
17 pipelines retroactively.

18 This actually solves the problem more
19 effectively. And I think this is -- I applaud
20 PHMSA for really coming up with this solution. I
21 think this actually addresses a lot of issues and
22 moves us forward. Because the volume in the new

1 pipes going in right now is small, but class
2 location is something that we deal with all the
3 time.

4 Automating the valves on either side
5 is really advancing response time systematically
6 much more quickly than we probably do with
7 automated valves going in on new pipelines.

8 And I think this is a really creative
9 way to solve an old problem and a new problem,
10 and help people move forward with this
11 technology. So I applaud PHMSA for this. I
12 think this is a really creative solution.

13 MR. MAYBERRY: Thanks, Andy. And as
14 I turn it back over to Chairman Danner, I'd like
15 to ask Sara, were your questions related to class
16 location addressed in what we've presented so
17 far, related to how we are addressing changes in
18 class?

19 MS. ROLLET GOSMAN: Thank you. I
20 think so, yes. A couple of, just, comments. One
21 is, first of all, let me say I absolutely
22 appreciate that you are using this opportunity of

1 a change in class location to try to take some of
2 the existing pipeline and move it in a direction
3 that we are all looking to move it. So I think
4 that is terrific. And I am excited about that.

5 I think, in terms of the exception for
6 smaller links, I completely understand that there
7 is going to be a vanishing point here. And I
8 think less than 1,000 feet within one contiguous
9 mile makes sense.

10 For the 1,000 feet to two miles,
11 again, I am comfortable with the technical
12 response here. I worry, once again, about some
13 of the potential for gaming.

14 So I am wondering if there are ways to
15 try to, for example, put time limits on this,
16 similar to what we did previously, just to make
17 sure that we are really getting at the issue that
18 we care about, which is these smaller projects;
19 as opposed to trying to do multiple smaller
20 projects so as to not comply with the rule.

21 Thank you.

22 MR. MAYBERRY: Thanks, Sara. And I'll

1 look to -- we'll cook something up and we'll see
2 what we can do related to that, like we've done
3 earlier today.

4 Chairman Danner, are you back?

5 CHAIR DANNER: I am back, and thank
6 you very much. Andy, you have your hand up?

7 MR. DRAKE: Yes. This is Andy Drake
8 with Enbridge. I'd just like to follow-up to
9 Sara's comment. I think I would be very
10 supportive of putting time constraints in here,
11 as we did previously. I think that helps all
12 parties and I think that's a very good comment.

13 CHAIR DANNER: Okay. So, Sara or
14 Andy, is there specific language you want to add
15 to the bullet point?

16 MR. DRAKE: I would recommend we use
17 the same language, 24 months.

18 MR. MAYBERRY: I am not sure where to
19 add this. Are we adding that to the third
20 bullet, for pipe replacements due to
21 classification changes between 1,000 feet and two
22 miles that occur within a 24-month period, or are

1 we talking the second bullet? I am not exactly
2 sure where you guys want that at.

3 CHAIR DANNER: Sara?

4 MS. ROLLET GOSMAN: Oh, thank you.
5 Well, I was in the third bullet but if you think
6 that the same issue that I am raising would be --
7 sorry about that, having trouble with the echo.

8 All right, it's gone.

9 If you think that the same issue might
10 apply to the situation with pipeline replacements
11 less than 1,000 feet within one contiguous mile,
12 if that is a potential issue, then I guess I
13 would want it there too.

14 CHAIR DANNER: And Andy, is that all
15 right with you?

16 THE OPERATOR: Andy, your line is
17 open. Please unmute, if needed.

18 MR. DRAKE: This is Andy Drake with
19 Enbridge. I am just looking -- you know,
20 certainly number three makes sense. The one that
21 I am thinking about is number two. And you'll
22 have to give me a second to digest it in my head.

1 As you look at pipe replacement over
2 a two-year period, I can see where you could very
3 quickly get in over 1,000 feet within -- you
4 know, within a mile pretty easily over a couple
5 of years. But maybe I'd throw that open to some
6 of the other Committee members, you know, to see
7 where they are.

8 I am not personally opposed to it. I
9 think 1,000 feet in a mile over two years, okay,
10 that's kind of tight, actually. Because I could
11 see where you could make two long pipe
12 replacements, and you are there, over a couple of
13 years.

14 But number three, for sure, makes
15 sense to me. Maybe I can get some input from
16 some of the other members, see what they think.
17 It's kind of just a decision on the fly here.

18 CHAIR DANNER: Yes. It's also -- and
19 I actually am looking at what PHMSA staff has
20 just put up there. And that might resolve it, is
21 just to have it as a separate bullet.

22 All right, any thoughts, Committee

1 members? Yes, Sara?

2 MS. ROLLET GOSMAN: Yes. So I think
3 the way I've seen it is I think that the 24-month
4 timeframe should go into bullet point 3. And I
5 think PHMSA should consider a timeframe of 24
6 months for the less than 1,000 feet within one
7 contiguous mile exception.

8 CHAIR DANNER: All right, thank you.
9 Andy Drake?

10 MR. DRAKE: This is Andy Drake with
11 Enbridge. Sorry, I am trying to figure out how
12 to work my mute button.

13 The more I think about it, I am not
14 opposed to that constraint being in there on
15 number two either for class locations. I think
16 that's not that big a population of concern. My
17 mind went to any kind of pipe replacement. And I
18 think that's where we get kind of into a bind.
19 But for classifications, I am not that concerned
20 about it. And I am open to comment from other
21 Committee members too. I don't think this is ---

22 CHAIR DANNER: Yes, okay.

1 MR. DRAKE: -- something we are
2 advising on the fly.

3 CHAIR DANNER: Great. Chad Zamarin's
4 going to weigh in. Chad?

5 MR. ZAMARIN: Sure. Thanks, Chad
6 Zamarin with Williams. I agree. I think it's a
7 good add. I think clarity helps. You know, this
8 tells you that you can't, you know, do 999 feet
9 one year and then, you know, just kick the next
10 to the next year. So I think that clarity is
11 helpful, so providing it on both items I think is
12 reasonable.

13 CHAIR DANNER: Okay. Well, I am
14 getting a sense of the Committee's direction on
15 this to PHMSA staff is that we would want this in
16 both the second and third bullets.

17 All right, I am hearing nothing more
18 from the Committee members. Other concerns with
19 any of the items on this page? Chad, do you have
20 your hand up still? Oh, okay.

21 MR. MAYBERRY: Chairman, it looks like
22 we got a check mark from Sara on our revised

1 language, on our fourth bullet there.

2 CHAIR DANNER: All right, we did. So
3 do we have more to discuss on this voting slide?

4 All right, hearing nothing, I think we
5 are ready to take action on this. Is there a
6 motion?

7 All right, seeing nothing, I will do
8 the reading if we are ready for this. Okay,
9 Andy?

10 MR. DRAKE: I was waiting for someone
11 to make a motion. I think we are at the place
12 where we should make a motion. And I'll throw a
13 straw-man out there. I think we have good
14 alignment here.

15 The proposed rule as published in the
16 Federal Register and the draft regulatory
17 evaluation with regard to rupture mitigation
18 valves for classification changes are technically
19 feasible, reasonable, cost-effective, and
20 practicable if the following changes are made.

21 One, valve spacing proposed in
22 Paragraph 192.634 would be applicable to class

1 location changes under 192.610.

2 Two, excluding pipeline replacements
3 less than 1,000 feet within one contiguous mile.

4 Three, pipe replacements due to
5 classification between 1,000 feet and two miles
6 allowing operators to automate existing valves
7 with RCVs/ASVs and pressure sensors with maximum
8 spacing of 20 miles, consistent with the
9 operational capability specified in Paragraph
10 192.634.

11 Four, PHMSA will consider implementing
12 a timeframe of 24 months for the pipeline
13 replacement thresholds identified above.

14 CHAIR DANNER: All right, thank you.
15 Is there a second?

16 MR. HILL: Robert Hill will second.

17 CHAIR DANNER: All right. Thank you.
18 Is there any further discussion?

19 All right. If not, Cameron, do you
20 want to count the votes?

21 MR. SATTERTHWAITTE: Yes, I will go
22 ahead and do that. And I'll do the roll call.

1 If you agree with the language, you can say yes.
2 And if not, you can say no. And I will do right
3 down the list.

4 Diane Burman?

5 MS. BURMAN: Yes.

6 MR. SATTERTHWAITE: Peter Chace?

7 MR. CHACE: Yes.

8 MR. SATTERTHWAITE: David Danner?

9 CHAIR DANNER: Yes.

10 MR. SATTERTHWAITE: Sara Longan?

11 MS. LONGAN: Yes.

12 MR. SATTERTHWAITE: Ron Bradley?

13 MR. BRADLEY: Yes.

14 MR. SATTERTHWAITE: Andy Drake?

15 MR. DRAKE: Yes.

16 MR. SATTERTHWAITE: Mary Palkovich?

17 MS. PALKOVICH: Yes.

18 MR. SATTERTHWAITE: Rich Worsinger?

19 MR. WORSINGER: Yes.

20 MR. SATTERTHWAITE: Chad Zamarin?

21 MR. ZAMARIN: Yes.

22 MR. SATTERTHWAITE: Jon Airey?

1 MR. AIREY: Yes.

2 MR. SATTERTHWAITE: Sara Gosman?

3 MS. ROLLET GOSMAN: Yes.

4 MR. SATTERTHWAITE: And Robert Hill?

5 MR. HILL: Yes.

6 MR. SATTERTHWAITE: Thank you.

7 CHAIR DANNER: All right. It looks
8 like with this issue we have agreement. So,
9 let's move on. John, do you want to move on to
10 the next issue?

11 MR. NANNEY: Going on to maintenance
12 requirements. The issue, rupture mitigation
13 valve performance, must be highly reliable to
14 ensure the safety goal of prompt rupture
15 isolation.

16 The basis, address issues identified
17 in a public workshop we held in March of 2012 in
18 the R&D forum in 2012 that impact rupture
19 mitigation valve performance. Slide 92.

20 PHMSA proposed to require point-to-
21 point verification for RCV and ASV rupture
22 mitigation valves. Also to require drills to

1 establish and test the 40-minute maximum response
2 time, with lessons learned and remedial actions.

3 And also to repair and remediate
4 inoperable valves within six months following a
5 failed drill. Temporary alternate compliant
6 valves would be designated with seven days of a
7 failed drill. Slide 93.

8 The public comments we got on it was
9 remove duplicate requirement in 192.745(c) to
10 conduct point-to-point testing if it is already
11 required in the control room management
12 requirements at 192.631.

13 PHMSA's response was, PHMSA concurs
14 that the point-to-point testing is addressed in
15 the regulations, and will consider deleting this
16 requirement in 192.745(c) in the final rule.
17 Slide 94.

18 Some additional comments we got on
19 maintenance is, operators request the following
20 changes, clarifications regarding drills.
21 Clarify that ASV and RCV are excluded from annual
22 drills. Be more specific regarding random

1 selection requirements. And annual drill is not
2 required for every manual valve.

3 PHMSA's response. PHMSA intended that
4 annual drills apply to manually operated valves,
5 either by manual operation of a local actuator,
6 or mechanically closed by hand wheel, and will
7 clarify this in the final rule.

8 Random selection methodology would be
9 determined in operator procedures, and subject to
10 inspection. Also, PHMSA confirms that annual
11 drills would be required for one randomly
12 selected manual valve in each of the operator's
13 field work units, not every valve. Slide 95.

14 Additional comments on maintenance.
15 Operators request the following changes,
16 clarifications regarding drills. Clarify that
17 valves do not need to be fully closed during
18 drills. Tabletop drills may be used to satisfy
19 response time drills.

20 PHMSA response. Regarding partial
21 closure during drills, PHMSA would consider 25
22 percent valve closure as successful completion of

1 the response time validation drill. PHMSA does
2 not believe tabletop drills are adequate to
3 verify response times for manually operated
4 valves. Slide 96.

5 Some additional public comments on
6 maintenance. Operators request the following
7 changes, clarifications regarding maintenance
8 repair timeframes.

9 When a drill indicates that a rupture
10 mitigation valve does not meet the performance
11 requirements, operators requested extension of
12 timeframe to revise the response effort to
13 achieve compliance from six to 12 months.

14 Multiple operators requested extension
15 of timeframe to repair or replace inoperable
16 valves from six to 12 months. And multiple
17 operators requested extension of the seven-day
18 timeframe to identify appropriate alternative
19 compliant valves when response time cannot be
20 validated or valves are inoperable, suggesting
21 either ten, 14, or 30 days.

22 And then last, allow a notification

1 process to inform PHMSA when timeframes are not
2 practical. Continued on Slide 97.

3 And also, to clarify that alternative
4 compliant valves, in other words, valves that
5 comply with the shut off time requirement, would
6 not be required to comply with the valve spacing.

7 In PHMSA's response, PHMSA believes a
8 seven day timeframe to identify alternative shut
9 off measures, and a six month timeframe for valve
10 repair are appropriate. PHMSA will consider
11 allowing notification by operators that justify a
12 need to extend the timeframes.

13 PHMSA did not intend that alternative
14 compliant valves comply with spacing
15 requirements. However, they would be required to
16 contain the entire shut off segment in compliance
17 with established closure timeframes. PHMSA will
18 clarify in the final rule. Slide 98.

19 Additional maintenance comments.
20 Pipeline Safety Trust expressed support for
21 proposed maintenance requirements. The Clean Air
22 Council requests that drills be enhanced to

1 include regular periodic personnel training and
2 management provisions. Also, the Clean Air
3 Council requests that maintenance requirements be
4 enhanced to cover valve-related specialized
5 equipment.

6 PHMSA's response. With respect to
7 personnel training and specialized equipment,
8 PHMSA notes that those topics are covered under
9 other facets of the Pipeline Safety Regulations,
10 such as OQ, CRM, et cetera. That's already in
11 the code. Slide 99.

12 The next item is failure
13 investigation, 192.617. The issue is to improve
14 operator use and evaluation of incident response
15 data and lessons learned, including additional
16 P&M measures to improve incident response and
17 rupture isolation times.

18 The basis is a GAO recommendation, 13-
19 168. And PHMSA proposes one, to formalize post
20 incident procedures for investigation of rupture
21 incidents, analysis of rupture and valve shut off
22 events, and effectiveness of rupture mitigation

1 performance.

2 And also, to identify and implement
3 lessons learned, including rupture mitigation
4 operating procedures, and additional P&M
5 measures, such as automatic or remote control
6 valves. Slide 100.

7 Public comments we received on public
8 investigation. Use defined terms, remove failure
9 in favor of incident. Remove proposed 192.617(d),
10 failure investigations because it duplicates
11 incident reporting requirements.

12 PHMSA's response. PHMSA will consider
13 the comments to clarify terminology and improve
14 readability of the final rule, but notes that the
15 existing rule addresses investigation of
16 failures, which is broader than reportable
17 incidents.

18 Also, PHMSA does not consider this a
19 duplicate requirement, as this is intended to
20 build on existing requirements, and be a deeper
21 technical evaluation of valve functionality and
22 performance during incident mitigation.

1 PHMSA intended that failures, as
2 defined in ASME B31.8(f) involving rupture
3 mitigation valves be investigated. Slide 101.

4 Also, some additional comments we got.
5 It was specified that implementation of lessons
6 learned and additional P&M measures after
7 incidents are required only where reasonable and
8 practical.

9 And PHMSA's response there is, PHMSA
10 agrees that the intent is to implement where
11 reasonable and practical. PHMSA would not expect
12 operators to implement P&M measures that were
13 unreasonable and impractical. PHMSA will clarify
14 this in the final rule. Next slide, please.

15 Some additional comments we received
16 on failure investigation. Clarify that incident
17 investigation requirements apply to gas
18 distribution lines. In association, support
19 lessons learned for gas distribution pipelines.

20 PHMSA intended that 192.617(a) and
21 (b), general failure investigations, build on
22 existing requirements in 192.617 and apply to

1 distribution lines, and will clarify in the final
2 rule.

3 Paragraphs C and D address failure
4 investigations specific to rupture mitigation
5 valves and would not apply to distribution lines,
6 since rupture mitigation valves would not be
7 required for distribution systems. PHMSA will
8 clarify this in the final rule. Next slide,
9 please.

10 Additional comments. Pipeline Safety
11 Trust requests clarification if lessons learned
12 requirements to rupture incident and valve
13 closure should be treated equally.

14 PHMSA intends that both events would
15 require investigation and evaluation. Next
16 slide, please.

17 Additional comments on failure
18 investigation. Only require senior executive
19 official certification of the final report.
20 Remove requirements for senior executive official
21 certification of the report. Remove risk
22 analysis certification by senior executive

1 officer based on lack of hands-on involvement in
2 risk assessment.

3 PHMSA's response. PHMSA believes that
4 the senior executive official certification is
5 essential to assuring quality and highlighting
6 the importance of investigation results. Next
7 slide, please.

8 Additional comments. Move training
9 requirement to applicable part for emergency
10 response training. PHMSA response. PHMSA
11 believes it is important to specify that lessons
12 learned from incident investigations and drills
13 be factored into training programs. Next slide.

14 On the maintenance and failure
15 investigation sections of the code, this
16 concludes PHMSA's response to comments received.
17 And in light of the comments received from the
18 notice of proposed rulemaking PHMSA recommends
19 the following to the Committee.

20 Number one, deleting the requirement
21 for point-to-point testing from 192.745(c). And
22 we would move it into the control room management

1 section in 192.631, or basically reference
2 192.631.

3 Also, clarifying that implementation
4 of lessons learned and additional P&M measures
5 after incidents are required only where
6 reasonable and practical.

7 We would also clarify that annual
8 drills apply to manually operated valves only,
9 either by manual operator of a local actuator, or
10 by hand, and not to ASVs and RCVs. And
11 specifying that 25 percent valve closure is
12 sufficient to demonstrate successful completion
13 of the response time validation drill. Next
14 slide, please.

15 Again, in additional items we have
16 here, in light of the comments received from the
17 notice PHMSA recommends the Committee consider
18 the following.

19 Allowing notification by operators
20 that justify a need to extend the timeframes for
21 repair, and establishing alternative rupture
22 mitigation valves. Also, specifying that

1 alternative compliant valves would not be
2 required to comply with spacing requirements.

3 And lastly, specifying that 192.617
4 (a) and (b), general failure investigations,
5 would apply to distribution lines in Paragraph C
6 and D. And failure investigations specific to
7 rupture mitigation valves would not apply to
8 distribution lines. Next slide, please.

9 Chairman Danner, I'll turn it back
10 over to you for public comment.

11 CHAIR DANNER: All right, thank you.
12 And I'll turn it over to Paul. Do you want to
13 solicit public comment here? And we'll just get
14 to those comments right now.

15 OPERATOR: Please press one then zero
16 if you'd like to queue up for a comment over the
17 phone lines. Again, please press one then zero
18 to queue up for public comment. And we have no
19 one in queue at this time.

20 CHAIR DANNER: All right. Thank you
21 very much. Let me turn to the Committee. Is
22 there any discussion? All right. I am seeing

1 none.

2 I did have a question. Steve, could
3 you go to Slide 91? There's something I missed
4 when you were, or I am sorry, Page 94. You just
5 went past, I didn't get a chance to read it.
6 Okay. Thank you. That's fine.

7 So, let me ask again if there's any
8 discussion from the Committee on the
9 recommendations slide in front of us? All right.
10 I am hearing, I am seeing no hands. So, I am
11 going to assume that the Committee is good on
12 this, and ready to vote. So, I would entertain a
13 motion.

14 MR. GALE: Chairman, John Gale here.
15 Just to be clear too, just the vote slide is
16 actually two pages as well.

17 CHAIR DANNER: Oh, okay. Can we see
18 the next page?

19 MR. GALE: Yes. I believe Member
20 Drake has his hand up, Chairman.

21 CHAIR DANNER: Yes. That's great.
22 Yes. Thank you, Andy. Why don't you go ahead

1 and make the motion.

2 MR. DRAKE: Well, I hate to break the
3 bubble here. But I wasn't going to make a
4 motion. I was trying to get in there. There is
5 a question that I have.

6 CHAIR DANNER: Okay. Go ahead.

7 MR. DRAKE: Sorry. Just a pause there
8 for a moment. I know we are in the one hour mark
9 here. So, I don't want to slow us down too much.

10 But I think that when we have a failed
11 drill, I think that there should be some
12 consideration given to the ability to order the
13 materials necessary to remediate the problem.
14 And I really think it would be appropriate to at
15 least consider, instead of six months that we
16 would go to 12 months.

17 And then, you know, I think that would
18 give people a chance to remediate these
19 situations with the parts that they may actually
20 need to get to fix the problem.

21 So, I'd like to just throw that out
22 there and see if others have concerns around

1 that. But I think it's just a matter, it's not
2 trying to slow anything down, it's just a matter
3 of practicability of getting parts.

4 CHAIR DANNER: All right. Is there
5 anyone else who wants to air concerns that Andy
6 just raised. Andy, you might be on your own.

7 MR. DRAKE: Well, I was just looking
8 for some input from some others in the industry.
9 I am just trying to think practically. For
10 myself, I know if I had to replace some of these
11 parts in a failed drill, I am not going to get
12 them in six months all the time. And I just, I
13 am going to get them as fast as I can. But I
14 can't make them just appear.

15 CHAIR DANNER: So, is there particular
16 wording that you want to add to a bullet?

17 MR. DRAKE: I would recommend you take
18 six and go to 12. And, you know, if someone
19 wants to throw in there, as quickly as
20 practicable, that's fine. But I just think it's
21 a matter of practicability.

22 CHAIR DANNER: Okay. Sara, and then

1 Mary. Sara.

2 MS. ROLLET GOSMAN: So, I thought
3 that, Andy, that operators could use the
4 notification process. And it's on that,
5 essentially in the first bullet. Because on that
6 we are looking at now, to justify the need to
7 extend timeframes. So, I would prefer to keep
8 the six months, but allow this notification
9 process in case there are specific issues related
10 to that repair, for example.

11 CHAIR DANNER: All right. Mary, and
12 then Andy, if you want to respond.

13 MS. PALKOVICH: I will just say we,
14 moving it to 12 months is helpful. Because often
15 you are talking about a valve that something
16 failed on it. And especially now supplier access
17 to inventory is so difficult.

18 So, the only issue I would have with
19 Sara's recommendation is allowing notification
20 doesn't cover that. Because it will default to
21 the six months. I really think we need to go to
22 12 months. And so I support Andy's

1 recommendation.

2 CHAIR DANNER: Andy.

3 MR. DRAKE: This is Andy Drake with
4 Enbridge. Sara, I appreciate your comment. I am
5 just trying to get some facts out there. First,
6 I think it's unusual that we would fail a test.
7 So, that's a good thing.

8 But on large diameter valves these
9 actuators are well over six months order time
10 typically. And so, if it happens you will be
11 asking for notification pretty routinely in my
12 opinion, unless you have something in stock,
13 which would be kind of unusually frankly.

14 So, I think, the point is that if you
15 fail a test you will be notifying on large
16 diameter valves almost immediately. And as long
17 as we are not obligated to wait for approval or
18 response, because it is what it is at that point.

19 It's not going to be a lot of events.
20 But it will be, every time you fail a test on a
21 large diameter valve you will be notifying. And
22 as long as we are, everybody on the phone is okay

1 with that, that's kind of where you are headed.

2 CHAIR DANNER: All right. Chad.

3 MR. ZAMARIN: Thanks. Chad Zamarin
4 with Williams. Just, I would just say to that
5 point I don't think we should be designing
6 notification for things that are routinely
7 expected to occur.

8 I mean, and I agree. I think
9 generally valve parts and procurement timelines
10 are typically far, you know, longer than six
11 months. These aren't off the shelf typically,
12 especially for large diameter valves, parts.

13 And so, you know, I think, and I would
14 just say that it does seem like for the most
15 part, you know, 12 months is a more, kind of more
16 common standard for, you know, for repair and
17 response within the code.

18 So, it just feels like that would be,
19 I don't think we'd giving up much by going from
20 six to 12 months. But I think we'd be creating a
21 much more practical requirement.

22 We are certainly going to fix, take

1 action as quickly as possible. But I don't know
2 of any large diameter valve procurements these
3 days that are less than six months.

4 So, I would support moving to the 12
5 months. I don't think we lose anything from the
6 safety perspective. And I think it's just much
7 more practical. Thank you.

8 CHAIR DANNER: All right. Thank you.
9 Mary, your hand is still up. Are you wishing to
10 speak again?

11 MS. PALKOVICH: Sorry. I should have
12 put my hand down.

13 CHAIR DANNER: Okay. So, let me ask
14 this. Does PHMSA have any qualms about moving
15 that to 12 months?

16 MR. MAYBERRY: You know, this is Alan.
17 Maybe, just trying to split the difference here.
18 Maybe as soon as practicable.

19 CHAIR DANNER: So, something along --

20 MR. MAYBERRY: Right.

21 CHAIR DANNER: -- 12 months, or as
22 soon as practicable?

1 MR. MAYBERRY: As soon as practicable.
2 I am just trying to find a work around here for
3 the Committee. So, let's see what we can conjure
4 up here.

5 CHAIR DANNER: All right. I am going
6 to call on Andy while you are working on
7 language. Andy.

8 MR. MAYBERRY: Yes. Go ahead.

9 MS. PALKOVICH: This is Andy Drake
10 with Enbridge. I am good with that, Alan. I
11 think that's reasonable. I think people should
12 be moving as quickly as possible.

13 I just want to put one note in there
14 for the record, is that as soon as practicable
15 should consider the operator's quality control
16 program.

17 We are not just going to go buy
18 something from anybody, stick it on top of the
19 pipe in a critical infrastructure because we can
20 get it there on time. That's not the right
21 answer either.

22 So, I just want to go on record that

1 we are going to get from qualified vendors that
2 deliver quality product, and that work with that
3 valve assembly.

4 It's practicable, as long as that
5 little footnote's in there somewhere in the
6 record, I think we are good. We'll be moving as
7 fast as we can. I just, I agree with Chad.

8 I think on large bore valves that, you
9 know, that is a very custom fit, you know,
10 actuator. And sometimes they have to make them.
11 And they're not going to just, that's just not
12 going to be there in a couple of months.

13 I don't want a rule that we have to
14 ask for notification on a routine basis for them.
15 That just seems weird. But I am good with your
16 language, Al.

17 CHAIR DANNER: Thank you. Sara, would
18 you be okay with language that says as soon as
19 practicable?

20 MS. ROLLET GOSMAN: Thank you.
21 Perhaps. I just want to understand a little bit
22 about the number of valves we are talking about

1 here. So, Andy, you mentioned that it was
2 relatively rare, right, we are in a situation in
3 which the valve is not working.

4 So, we have a safety problem, which is
5 that we don't have a working valve. So, how
6 often are we talking about this situation? And
7 then, how often is it that it's taking up to 12
8 months to get this part leaving the pipeline
9 without a working valve for 12 months?

10 MR. DRAKE: This is Andy Drake with
11 Enbridge. I am just responding to Sara's
12 request.

13 CHAIR DANNER: Yes, please. Go ahead.

14 MR. DRAKE: I do think it's unusual
15 that valves, you know, fail their actuation
16 tests. That's a good thing. The problem is that
17 in that rare event that's the only time that this
18 particular, you know, requirement would kick in.

19 In that rare event you have to get in
20 the actuator. And they're not just laying
21 around. I can't make it appear. So, it's going
22 to be, on large diameter valves I think if you

1 fail you will be in this criteria, you will
2 violate this criteria routinely.

3 Well, I mean, not routinely. But
4 every time that weird event happens you are going
5 to be outside the rule. And I'd like to just
6 have a rule that's kind of structured to say, you
7 should be moving as fast as you can.

8 Yes, I agree with that. And, you
9 know, we recognize the natural procurement
10 process of this is going to take you a little
11 bit. Okay. I am just trying to get some
12 practicability into the language of the rule.

13 But I do want to be clear, Sara, it is
14 unusual that a valve actuator would fail this
15 test. So, it's unusual that we would be in this
16 particular part of the rule.

17 CHAIR DANNER: And, Andy, can I ask a
18 layperson's question? I mean, is this the kind
19 of equipment that there are not, there's not an
20 inventory of replacements around the country that
21 can be called upon?

22 MR. DRAKE: No, not really. Not

1 particularly on the large diameter valves.
2 They're very custom to that valve and that
3 application.

4 CHAIR DANNER: Okay. Chad.

5 MR. ZAMARIN: Thanks. Chad Zamarin
6 with Williams. I would say, you know, standard
7 procurement lead times for large diameter valves
8 are typically, you know, up to 24 months. I am
9 sorry, 12 to 24 months.

10 So, I think, you know, if these are
11 simple repairs it can be shorter than that. But
12 I do think there's going to be just a reality. I
13 think, to Sara's question, I do think this is a
14 rare event.

15 But I do think we also need to be
16 careful of unintended consequences. If you put a
17 requirement out there that a valve must be
18 repaired within six months of a test failure what
19 you might have happen is operators may be forced
20 to buy inventory for repairs.

21 And this may be the kind of inventory
22 that requires, you know, frequent refreshment.

1 And I just think we might be creating something
2 that is, creates a financial obligation that
3 maybe wasn't thought through, you know, prior to
4 having kind of this kind of conversation.

5 Because if I were faced with, you
6 know, the potential, even though it's a rare
7 event that I would fail. But I am going to be
8 frequently testing all of my valves. And I've
9 got a six month requirement to repair them if
10 they do fail I might, you know, have to stock
11 repair materials.

12 And we don't, I don't think we want to
13 be forcing operators to spend their money and
14 inventory on stocking materials for something
15 that in the event that it does fail we typically
16 have alternative measures that are put in place
17 to ensure the safety of a pipeline system.

18 And again, this is the mitigation
19 tool. This isn't the prevention tool in the
20 first place. So, I just, I worry. I just think
21 making it, a timeline that fits more practical
22 with respect to availability of these parts, and

1 makes better sense.

2 And I do think there is, because I
3 thought through this listening. There is this
4 potential unintentional consequence of putting
5 this requirement out there.

6 CHAIR DANNER: So Chad, can I ask,
7 what is the risk of a high consequence event if
8 there is a failed valve, and we have to wait for
9 12 to 24 months for replacement?

10 MR. ZAMARIN: I mean, typically what
11 would happen here is, if you had a valve that
12 wasn't performing you might be going back to a
13 manual operation on that valve. And so, you
14 know, it may be just increasing the amount of
15 time it takes for that valve to close.

16 You might have valves on either side
17 of that valve that are going to take over the
18 responsibility of that valve. So, you may have a
19 bit more pipeline length. But, you know, it
20 doesn't mean that the pipeline is becoming
21 totally unprotected because you have a valve that
22 isn't performing at its intended level.

1 And typically, these kinds of valves
2 that we are talking about can always be operated
3 manually. But, you know, obviously that takes
4 away some of the speed at which you might isolate
5 an incident.

6 But again, I don't -- I think we
7 shouldn't think of, if this fails a test it
8 doesn't mean that we have, we don't have other
9 ways where we are mitigating the extent to which
10 that valve's not going to perform. We do have
11 other ways of kind of working around that while
12 we are --

13 CHAIR DANNER: Okay.

14 MR. ZAMARIN: -- waiting for parts or
15 repair.

16 CHAIR DANNER: Thank you. I
17 appreciate that. All right. Mary, and then
18 Sara.

19 MS. PALKOVICH: Yes. This is just a
20 data point. So, Consumers Energy is a local
21 distribution company, even though we have 2,400
22 miles of transmission line, and 14 storage

1 fields.

2 So, we have 16 valve replacement
3 repairs scheduled in the next two years. And
4 that is without this law and rule that we are
5 currently talking about.

6 So, I just wanted, to Sara's point,
7 how many, we are an LVC, and we've got 16 of them
8 in the queue for the next two calendar years.
9 When this goes into effect it's going to be more.

10 So, that would be, and I know AGA's
11 got, you know, 200 LVCs with it. So, and they're
12 not all configured like Consumers. But we are
13 talking about a lot of notifications if we don't
14 get this extended at least to 12 months.

15 CHAIR DANNER: All right. Thank you.
16 Sara.

17 MS. ROLLET GOSMAN: Yes. So, I am
18 comfortable with 12 months, or as soon as
19 practicable. I always worry in these situations
20 that whatever the supply chain situation is now,
21 and I know you are not talking about the world of
22 COVID-19, but just sort of the general supply,

1 could change. And that we are making decisions
2 based on a set of supply issues in a rule that
3 we, you know, practically speaking are not going
4 to go back to soon.

5 But I think with the language, as soon
6 as practicable, at least we are sending the
7 message that it should be done before that point
8 if the supply chain allows for it. And that
9 would be, that would obviously be a good thing
10 for everyone. So, I am okay with that
11 compromise.

12 CHAIR DANNER: All right. Thank you
13 very much. Andy, your hand is up.

14 MR. DRAKE: Yes. This is Andy Drake
15 with Enbridge. I want to build on something that
16 Chad said, that I think may provide some
17 confidence to everybody on the phone,
18 particularly you, Sara.

19 And that is that in the event that a
20 valve, a critical valve is rendered inoperable an
21 operator is obligated to file a plan to manage
22 that with either manually operating that valve,

1 and/or identifying backup valves adjacent to
2 that, that can offset that disabled valve.

3 And that's in addition to everything
4 else that we are talking about. And I think that
5 really is an important thing to remember, that
6 the Code provides for that explicitly, to make
7 sure that we don't have a, you know, a situation
8 where a valve that is critical is not offset
9 somehow, to manage consequences, or operational
10 ability of the pipes.

11 But I think that all together should
12 address the consequence concern and create some
13 kind of practical solution here. I just wanted
14 to throw that in there. Because I think the code
15 does have some protections afforded in it.

16 CHAIR DANNER: All right. Thank you.
17 Yes. Go ahead, Alan.

18 MR. MAYBERRY: If I may, just, you
19 know, from my standpoint, you know, as soon as
20 practicable to me means that, you know, we'll be
21 keeping an eye on this. And, you know, that
22 these things are done with due diligence.

1 And that, you know, for say addressing
2 if there's a single point of failure that
3 involves one of these valves, that we would
4 expect an operator would exercise due diligence
5 to get it repaired quickly.

6 And, you know, to the extent, you
7 know, it's that critical, maybe, you know, have
8 the required spare parts on hand to address that,
9 which operators typically do.

10 Certainly I know there's, you know,
11 the need to control inventory. But there is a
12 certain amount you have to have just to resolve,
13 you know, or address some of the, you know,
14 unanticipated failures that could be out there.

15 But anyway, we are good with it. I
16 think we are, you know, we are good to move on
17 from our standpoint.

18 CHAIR DANNER: All right. Thank you.
19 Let's, can we look at the second page there?
20 Just want to ask the Committee if there's
21 anything else we need to do before we go to a
22 motion? All right, hearing nothing can I, I

1 would entertain a motion. Does anyone want to
2 read this out loud?

3 MR. BRADLEY: Sure. This is Ron
4 Bradley, PECO. I can make a motion.

5 CHAIR DANNER: I appreciate that.
6 Thanks, Ron.

7 MR. BRADLEY: All right. The, this is
8 Ron Bradley, PECO. I move that the proposed rule
9 as published in the Federal Register, and the
10 draft regulatory evaluation with regard to
11 maintenance requirements and failure
12 investigations are technically feasible,
13 reasonable, cost effective and practicable if the
14 following changes are made.

15 Deleting the requirement for point-to-
16 point testing from Paragraph 192.745. It
17 duplicates requirements in the control room
18 management at 192.631.

19 Clarifying that implementation of
20 lessons learned and additional P&M measures after
21 incidents are required only where reasonable and
22 practicable.

1 Clarifying that annual drills apply to
2 manually operated valves only, either by manual
3 operation of a local actuator or by hand, not to
4 ASVs or RCVs. Specifying that 25 percent valve
5 closure is sufficient to demonstrate successful
6 completion of the response time validation drill.

7 Next page. Allowing notification by
8 operators that justify a need to extend the
9 timeframes for repair, and establishing alternate
10 rupture mitigation valves. PHMSA will consider
11 adjusting the timeframe for repairs to 12 months.
12 But as soon as practicable.

13 Specifying that alternate compliant
14 valves would not be required to comply with
15 spacing requirements. Specifying that Paragraph
16 192.617(a) and (b), general failure
17 investigations, would apply to distribution lines
18 in Paragraphs C and D. Failure investigations,
19 specific to rupture mitigation valves would not
20 apply to distribution lines.

21 CHAIR DANNER: All right. Thank you
22 very much. Is there a second?

1 MR. HILL: Robert Hill seconds.

2 CHAIR DANNER: Thank you, Robert. All
3 right. Cameron, can we take a vote?

4 MR. SATTERTHWAITE: Okay. This is
5 Cameron Satterthwaite. We'll go right through
6 the roll call. If you agree with the language
7 say yes. If you do not, say no. Diane Burman.

8 MS. BURMAN: Yes.

9 MR. SATTERTHWAITE: Peter Chace.

10 MR. CHACE: Yes.

11 MR. SATTERTHWAITE: David Danner.

12 CHAIR DANNER: Yes.

13 MR. SATTERTHWAITE: Sara Longan.

14 MS. LONGAN: Yes.

15 MR. SATTERTHWAITE: Ron Bradley.

16 MR. BRADLEY: Yes.

17 MR. SATTERTHWAITE: Andy Drake.

18 MR. DRAKE: Yes.

19 MR. SATTERTHWAITE: Mary Palkovich.

20 MS. PALKOVICH: Yes.

21 MR. SATTERTHWAITE: Richard Worsinger.

22 MR. WORSINGER: Yes.

1 MR. SATTERTHWAITE: Chad Zamarin.

2 MR. ZAMARIN: Yes.

3 MR. SATTERTHWAITE: Jon Airey.

4 MR. AIREY: Yes.

5 MR. SATTERTHWAITE: Sara Gosman.

6 MS. ROLLET GOSMAN: Yes.

7 MR. SATTERTHWAITE: Robert Hill.

8 MR. HILL: Yes.

9 MR. SATTERTHWAITE: All right. It's
10 unanimous.

11 CHAIR DANNER: All right. Thank you
12 very much. Unanimous. Let's move on. Steve or
13 Jon.

14 MR. NANNEY: Okay. Going to Slide
15 112, communications with 911. The issue NTSB
16 recommendation P-11-9 calls for PHMSA to require
17 that natural gas transmission and distribution
18 control room operators immediately and directly
19 notify the local 911 emergency call centers when
20 a rupture is indicated.

21 The basis. Multiple incidents with
22 untimely first emergency response because

1 operators did not promptly notify the applicable
2 911 emergency call center. Slide 113.

3 PHMSA proposed to require gas pipeline
4 operators to contact the appropriate public
5 safety answering point, 911 emergency call
6 center, after the operator determines a rupture
7 has occur, and establish and maintain liaison
8 with the public safety 911 answering point, as
9 well as fire, police, or other public officials.
10 Next slide, please.

11 The public comments. NTSB and
12 Pipeline Safety Trust reminded PHMSA that
13 recommendation P-11-9 calls for all gas
14 transmission and distribution pipelines to be
15 required to contact 911 to report a pipeline
16 rupture.

17 Specifically, the notice's
18 clarifications could possibly exclude some
19 ruptures, such as systems or portions of systems
20 which do not contain rupture mitigation valves
21 from the notification requirements.

22 Industry associations support PHMSA

1 requiring distribution pipeline operators to
2 liaison with and notify public safety answering
3 points.

4 PHMSA response. PHMSA did not intend
5 to include any exceptions, including for lines
6 where rupture mitigation valve closure is not
7 implemented. PHMSA will clarify in the final
8 rule that this provision applies to all potential
9 ruptures. Next slide, please.

10 Other public comments. Remove
11 redundancy in emergency response requirements.
12 Limit 192.615(a)(2) to emergency preparedness
13 activities, and 615(a)(8) to emergency response
14 activities.

15 PHMSA response. PHMSA will consider
16 these comments to improve readability of the
17 final rule. Next slide.

18 Other public comments. Include
19 provisions for pipelines not located within 911
20 areas, or that have no public safety answering
21 points.

22 PHMSA response. PHMSA will consider

1 any Committee recommendation, and address this
2 circumstance in the final rule. Next slide.

3 Additional public comments on 911.
4 Allow operators to liaise with appropriate local
5 emergency coordinating entities as a means to
6 communicate with first responders.

7 Revise liaison audience to more
8 specific actionable criteria. In other words,
9 agencies with primary jurisdiction for pipeline
10 incident. Allow emergency planning and response
11 coordination with lead agency if recognized by
12 state and local law.

13 PHMSA response. PHMSA did not propose
14 amending long standing requirements about
15 interfacing with local fire, police, or other
16 public officials. PHMSA's proposed rule was to
17 simply add the explicit requirement to call 911
18 when applicable, after notification of a
19 potential rupture.

20 Operators may establish liaison with
21 the appropriate local emergency response
22 coordinating agencies, such as 911 emergency call

1 centers, or county emergency managers, in lieu of
2 communicating individually with each fire,
3 police, or other public entity. PHMSA will
4 clarify this in the final rule. Next slide,
5 please.

6 Again, this concludes PHMSA's response
7 to comments on general topics related to
8 communications with 911. In light of the
9 comments received from the notice of proposed
10 rulemaking PHMSA recommends the Committee
11 consider the following.

12 Stating that communication with 911
13 applies to all ruptures without exception.
14 Limiting 192.615(a)(2) to emergency preparedness
15 activities, and 192.615(a)(8) to emergency
16 response activities, including provisions for
17 pipelines not located within 911 areas, or that
18 have no public safety answering points.

19 And stating that operators may
20 establish liaison with the appropriate local
21 emergency response coordinating agencies, such as
22 911 emergency call centers, or county emergency

1 managers, in lieu of communicating individually
2 with each fire, police, or other public entity.

3 Next slide, please.

4 Chairman Danner, I'll turn it back
5 over to you for public comment.

6 CHAIR DANNER: All right. Thank you
7 very much. Paul, can you solicit public
8 comments?

9 OPERATOR: Thank you. And again,
10 ladies and gentlemen, please press one then zero
11 for public comment over the phone lines. We turn
12 to the line of C.J. Osman first. Please go
13 ahead.

14 MR. OSMAN: So, I did not hit the
15 public comment button. So, I am not sure what
16 happened there. But, thank you.

17 OPERATOR: Thank you. Again, please
18 press one then zero if you'd like to queue up for
19 comments at this time. And we have no one else
20 in queue at this time.

21 CHAIR DANNER: All right. Thank you
22 very much. We'll then turn to the Committee. Is

1 there any discussion on this topic? Robert Hill.

2 MR. HILL: Yes, sir. As a local
3 emergency manager I like the way that PHMSA wrote
4 these rules. And I think they're going to be a
5 great asset to us.

6 There has been instances where a small
7 rupture, they would not notify the local
8 emergency managers for up to 24 hours. And the
9 faster we know about it, the more assistance we
10 can give. And help protect the public overall.
11 That's my comments.

12 CHAIR DANNER: All right. Thank you
13 very much. Now, I see on my screen that Kevin
14 House has raise his hand. Paul, is -- or
15 Cameron, can somebody -- I think that might be a
16 public comment that didn't come in. Moderator
17 Paul? Moderator Paul, could you see if Mr. House
18 would like to make a public comment?

19 OPERATOR: We do have a line. We'll
20 just open up that line. Go ahead.

21 MR. HOUSE: Hello. Can you hear me?

22 CHAIR DANNER: Yes. There's a little

1 bit of an echo. So, mute your phones, please.

2 Go ahead.

3 MR. HOUSE: Okay. I am going to turn
4 off my -- okay. How about now?

5 CHAIR DANNER: Perfect.

6 MR. HOUSE: Okay. Thank you. I'll be
7 commenting. Kevin House from National Fuel Gas
8 Company. And I'll be commenting in support of
9 the proposed emergency planning changes.

10 And I'll start by saying that as an
11 operator, engagement with first responders and
12 emergency officials is important to us, since our
13 emergency response is really one of our last
14 lines of defense in preventing, or in mitigating
15 the impact of an incident.

16 Now, the notice of proposed rulemaking
17 includes additional requirements to maintain
18 communications with emergency response agencies
19 and public officials to learn their
20 responsibilities, resources, and jurisdictional
21 areas, and contact information, and to inform
22 officials about our abilities to respond to

1 emergencies.

2 Now, this is a tall order, given the
3 sheer number of locations where we operate
4 facilities, and the number of agencies that we
5 respond to, that may respond to a pipeline
6 emergency in our areas.

7 National Fuel has nearly 2,000 of
8 these entities in our system, which makes it
9 impractical to stay informed of the required
10 information for each entity.

11 Additionally, a majority of these
12 groups are volunteer organizations with limited
13 capability to separately engage with possibly
14 multiple pipeline companies in their
15 jurisdiction.

16 So, we support PHMSA's inclusion of
17 the public safety answering points as a
18 stakeholder in emergency planning, as well as the
19 allowance proposed today for operators to
20 establish liaison with local emergency response
21 coordinating agencies, in lieu of communicating
22 individually with each fire, police, or other

1 public entity.

2 This will allow us to target our
3 various types of engagement to the right
4 audiences. So, we see this as a positive change
5 for both operators and first responders. Thank
6 you.

7 CHAIR DANNER: All right. And thank
8 you. And, Paul, is there anyone else calling in?

9 OPERATOR: We have no other questions
10 in queue at this time.

11 CHAIR DANNER: All right. Thank you
12 very much. So, Committee members, any discussion
13 on the communication with 911? All right.
14 Hearing none, I do have a question.

15 On Slide 113 it talks about notifying
16 public officials. And I just want, I was a
17 little concerned about whether that meant elected
18 officials. I mean, if there's a rupture does
19 that, you know, that can be vague.

20 Is it a requirement to call the
21 Governor's office? Is it a requirement to call
22 your local elected officials? And I am just

1 wondering if we need to clarify that in any way,
2 if that's going to be something that would cause
3 a finding against an operator?

4 MR. NANNEY: It will be clarified in
5 the final rule.

6 CHAIR DANNER: All right. That is
7 fine. I mean, I would be okay with something
8 like other public officials as appropriate. But
9 that is fine. I see Sara's hand is up, Sara
10 Gosman.

11 MS. ROLLET GOSMAN: Just a quick
12 clarifying question. So when, what is the
13 trigger point for when an operator is supposed to
14 contact 911? Is it the notification of rupture
15 definition that we've agreed on?

16 MR. NANNEY: Sara, this is Steve
17 Nanney. It's two places. First, they've got to
18 establish and maintain it beforehand, if you look
19 at one section.

20 And then, the other would be when the
21 rupture, as defined in the 192.3, and the
22 requirements in 192.6734. So, yes, that would be

1 when they would have to qualify.

2 MS. ROLLET GOSMAN: Okay, great.

3 Thank you. I mean, I think my comment is, the
4 more precise that we can make that condition, the
5 better I think for operators and for everyone in
6 terms of contacting 911.

7 So, if it is that definition that we
8 worked on, the notification of rupture that
9 really starts everything, then I think it makes
10 sense that it would also start that requirement
11 to immediately notify 911.

12 MR. NANNEY: And that's what it
13 states. They must immediately and directly
14 notify the appropriate safety answering point.

15 MS. ROLLET GOSMAN: Thank you.

16 CHAIR DANNER: All right. Thank you.
17 Is there any other discussion on this? All
18 right. Hearing none I would entertain a motion.
19 All right, not -- oh, Robert Hill.

20 MR. HILL: Yes, sir. I'll make the
21 motion. The proposed rule as published in the
22 Federal Register and the draft regulatory

1 evaluation with regard to communications with 911
2 are technically feasible, reasonable, cost
3 effective, and practicable if the following
4 changes are made.

5 Number one, stating that communication
6 with 911 applies to all ruptures without
7 exception.

8 Number two, limiting 192.615(a)(2) to
9 emergency preparedness activities, and
10 192.615(a)(8) to emergency response activities.

11 Number three, including provisions for
12 pipelines not located within 911 areas, or that
13 have no public safety answering point.

14 Number four, stating that operators
15 may establish liaison with the appropriate local
16 emergency response coordinating agency, such as
17 911 emergency call centers, or county emergency
18 managers, in lieu of communicating individually
19 with each fire, police, or other public entity.

20 Next page, please. Is that all?

21 CHAIR DANNER: I think that's it. So,
22 is there a second?

1 MR. WORSINGER: Rich Worsinger, I
2 second.

3 CHAIR DANNER: Thank you. All right,
4 any further discussion? If not -- Robert Hill,
5 you raised your hand. Do you have a comment?

6 MR. HILL: No, sorry about that.

7 CHAIR DANNER: That's all right.
8 Okay. Cameron, I think we are ready for a vote.

9 MR. SATTERTHWAITE: All right. Just
10 readjusting. Hold on a second. Okay. We are
11 going to go through the roll call. If you agree
12 with the language say yes, if not, say no. Diane
13 Burman.

14 MS. BURMAN: Yes.

15 MR. SATTERTHWAITE: Peter Chace.

16 MR. CHACE: Yes.

17 MR. SATTERTHWAITE: David Danner.

18 CHAIR DANNER: Yes.

19 MR. SATTERTHWAITE: Sara Longan.

20 MS. LONGAN: Yes.

21 MR. SATTERTHWAITE: Ron Bradley.

22 MR. BRADLEY: Yes.

1 MR. SATTERTHWAITE: Andy Drake.
2 MR. DRAKE: Yes.
3 MR. SATTERTHWAITE: Mary Palkovich.
4 MS. PALKOVICH: Yes.
5 MR. SATTERTHWAITE: Richard Worsinger.
6 MR. WORSINGER: Yes.
7 MR. SATTERTHWAITE: Chad Zamarin.
8 MR. ZAMARIN: Yes.
9 MR. SATTERTHWAITE: Jon Airey.
10 MR. AIREY: Yes.
11 MR. SATTERTHWAITE: Sara Gosman.
12 MS. ROLLET GOSMAN: Yes.
13 MR. SATTERTHWAITE: And Robert Hill.
14 MR. HILL: Yes.
15 MR. SATTERTHWAITE: All right. It's
16 unanimous.
17 CHAIR DANNER: All right. Thank you
18 very much. It's unanimous. I think we have one
19 more issue to discuss. So, I'll turn it back to
20 Alan.
21 MR. MAYBERRY: Thank you, Chair
22 Danner. I'll turn it over to Jon Gale.

1 MR. GALE: Thank you, Alan. Members,
2 as you recall, during our joint meeting back in
3 November of 2019, you know, when times were a
4 little different, PHMSA's chief counsel made a
5 recommendation that at the end of future
6 meetings, and specifically those meetings that
7 involve Committee work on rulemaking, that the
8 Committee make a motion stating that the meeting
9 transcript and the voting slides associated with
10 it represent the group's report as required in 49
11 U.S.C. 60115.

12 Committee voting slides contain the
13 language the Committee agrees is necessary to
14 include a change on a proposed safety standard in
15 a brief format.

16 The transcript is the full verbatim
17 record of the meeting, and together we believe
18 these documents form a comprehensive report out
19 of what was discussed at each meeting.

20 And so, going forward, at the end of
21 Committee deliberations on each proposed safety
22 standard we recommend that the Committee make a

1 motion to submit the voting slides, along with
2 the transcript, as the report required by the
3 statutory provisions that apply to this
4 Committee.

5 If agreed, I recommend that a
6 Committee member make the following motion and
7 the full Committee vote on said motion. That's
8 all, Chairman.

9 CHAIR DANNER: Thank you very much.
10 And I would fully support this. Is there a
11 motion?

12 MR. WORSINGER: Mr. Chairman, this is
13 Rich Worsinger. I am prepared to make that
14 motion.

15 CHAIR DANNER: Please go ahead.

16 MR. WORSINGER: The transcript of this
17 meeting, duly recorded and accurately
18 transcribed, together with the presentation
19 slides documenting the Committee's votes during
20 this meeting represent the report of this
21 proceeding.

22 CHAIR DANNER: Thank you very much.

1 Is there a second?

2 MS. PALKOVICH: Yes. This is Mary --

3 MS. ROLLET GOSMAN: I can second.

4 MS. PALKOVICH: -- Palkovich. I can
5 second.

6 CHAIR DANNER: Okay. Sounds like Sara
7 Gosman seconded.

8 MS. PALKOVICH: Yes, she beat me.

9 CHAIR DANNER: Okay. Any --

10 MS. ROLLET GOSMAN: Yes, I'll second.

11 Thank you.

12 CHAIR DANNER: Thank you. Sara Gosman
13 seconded. Is there any further discussion? All
14 right. Hearing none, Cameron, we'll take our
15 final vote of the day.

16 MR. SATTERTHWAITTE: All right. I will
17 run through the roll call. And if you agree with
18 the language you can say yes. if you do not, say
19 no. Diane Burman. Diane Burman. I'll come
20 back.

21 MR. SATTERTHWAITTE: Peter Chace.

22 MR. CHACE: Yes.

1 MR. SATTERTHWAITE: David Danner.
2 CHAIR DANNER: Yes.
3 MR. SATTERTHWAITE: Sara Longan.
4 MS. LONGAN: Yes.
5 MR. SATTERTHWAITE: Ron Bradley.
6 MR. BRADLEY: Yes.
7 MR. SATTERTHWAITE: Andy Drake.
8 MR. DRAKE: Yes.
9 MR. SATTERTHWAITE: Mary Palkovich.
10 MS. PALKOVICH: Yes.
11 MR. SATTERTHWAITE: Richard Worsinger.
12 MR. WORSINGER: Yes.
13 MR. SATTERTHWAITE: Chad Zamarin.
14 MR. ZAMARIN: Yes.
15 MR. SATTERTHWAITE: Jon Airey.
16 MR. AIREY: Yes.
17 MR. SATTERTHWAITE: Sara Gosman.
18 MS. ROLLET GOSMAN: Yes.
19 MR. SATTERTHWAITE: Robert Hill.
20 MR. HILL: Yes.
21 MR. SATTERTHWAITE: And I'll take it
22 back up to Diane Burman. Paul, do we still have

1 Diane with us? Okay. Well, it was unanimous.

2 CHAIR DANNER: All right. Thank you.
3 So, it carries. Let me turn it over then to Alan
4 for any closing remarks before we adjourn for the
5 day.

6 MR. MAYBERRY: Thank you, Chairman
7 Danner. And, you know, I'd just like to
8 congratulate the Committee on a very productive
9 and successful day. We had unanimous votes in
10 every vote that we took. And we are very
11 appreciative of the direction, you know, the
12 recommendation you've given us to carry forward.
13 And that we will do.

14 We have one more step tomorrow. We
15 have a meeting of the Liquid Advisory Committee.
16 We'll be meeting with them, same hours, same
17 deal. If you have some free time you are welcome
18 to spend your day with us tomorrow and listen in.
19 But we'll be doing that.

20 And then after that point we will have
21 all the input we need for both, you know, the
22 update to 192 and Part 195, you know, the gas and

1 the liquid code, to move forward and develop a
2 final rule. And that's what we will do, and
3 have, work it into our regulatory agenda, that as
4 you probably know, you know, remains quite
5 robust.

6 We have a number of, you know, areas
7 that we are looking, that, where we are moving
8 rules. So, stay tuned on that. And I would
9 expect, you know, that will just be worked into
10 the process that we have for the other rules.

11 In closing, you know, again, I
12 appreciate the comments. I know, and I
13 appreciate the comments related to gathering.
14 You know, I will say, you know, we are going to
15 take that under advisement.

16 And, you know, at the same time I will
17 tell you, you know, I remain, you know, we will
18 remain concerned related to the high pressure
19 large diameter gathering pipelines that are being
20 installed.

21 I am told that they're installed
22 using, you know, the latest, you know, standards

1 ASME B31.8. I hope that's the case. I anticipate
2 that's the case. But I would keep doing that
3 good work if you are doing that.

4 But that is, you know, an area that
5 we, you know, that will remain on our radar as we
6 move forward. Of course, we have a separate
7 rulemaking related to gathering, nonetheless.

8 With that, I think that about wraps it
9 up. Again, thank you. And I appreciate you,
10 your participation in this very rewarding
11 process, if you will, to, you know, help us land
12 on a key policy making.

13 The last big mandate from the 2011
14 Act. This is a big one for us. So again,
15 thanks. And with that I'll turn it back to you,
16 Chairman Danner.

17 CHAIR DANNER: All right. Thank you.
18 Let me turn to the Committee. Are there any
19 logistical questions for the PHMSA team before we
20 close? All right. I am not hearing any.

21 So, let me just say thank you to
22 everyone at PHMSA. I think it has been a very

1 informative discussion. And I think we've done
2 good work today. So, without anything further I
3 will adjourn the meeting. So, thank you,
4 everyone.

5 (Whereupon, the above-entitled matter
6 went off the record at 5:52 p.m.)

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Date: 07-22-20

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